

Sveelen (on behalf of EU)

**Item 9: Interactive Dialogue with the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and related Intolerance
(30 September 2009)**

Mr. Githu MUIGAI

Thank you, Mr President.

The European Union would like to thank you, Mr. Muigai, for your report on the manifestations of defamation of religions, submitted pursuant to Human Rights Council Resolution 10/22 and your presence here today.

The EU firmly believes in tolerance, non-discrimination, freedom of expression, freedom of thought, and freedom of religion or belief. We are convinced that a continuing dialogue can help us to overcome existing gaps in perceptions, concepts and ideas.

However, our long-standing and well-known position on this particular issue has not changed. The European Union does not see the concept of "defamation of religions" as a valid one in a human rights discourse. International human rights law protects individuals in the exercise of their freedom of religion or belief. It does not and should not protect specific belief systems. As the High Commissioner herself as well as you and the former Special Rapporteur on Racism, Doudou Diène have pointed out numerous in the past, from a human rights perspective, the concerns behind the concept of "defamation of religion" should be addressed as an issue of incitement to religious hatred. This should be considered within the existing framework of international human rights law, in particular the ICCPR.

In this context the language included in the Durban Review Conference this April which deplored "In this context, the EU refers to the important content of the outcome document of the Durban Review Conference this April which deplored " "... the global rise and number of incidents of racial or religious intolerance and violence, including Islamophobia, anti-Semitism, Christianophobia and anti-Arabism manifested in particular by the derogatory stereotyping and stigmatization of persons based on their religion or belief..." and which should remain to be seen as a basis for further work"

We continue to hear reports about people who face discrimination such as prevention of access from their place of worship or arbitrary detention. Such cases, compounded with racial discrimination, means that these groups are particularly vulnerable.

The EU condemns instances of Islamophobia, Christianophobia, anti-Semitism and other forms of intolerance and discrimination on grounds of religion or belief. However, the problem of religious intolerance is worldwide and not limited to certain regions or certain religions or beliefs. Followers of all religions and beliefs, as well as non-believers, can be victims of human rights violations. Any list of victims can only be exclusive. In addition we believe that the issue of religious intolerance and discrimination should be mainly dealt with by the Special Rapporteur on Freedom of Religion taking into account her mandate of addressing also all forms of discrimination based on religion or belief.

Q: "Your report focuses on incidences of discrimination against people belonging to one religion in particular. Do you have information regarding other religions? What is your assessment of such cases? Are their common patterns of discriminatory behaviour across religions?"

Q: "Finally we would be interested to hear more about your recommendations to states on implementing their core obligations relating to the protection of individuals and groups of individuals against violations of their rights incurred by hate speech? Do you have any specific concrete measures, best practices or actions in mind that states should promote in order to address this phenomenon?"

I thank you.