

**Comments by Pakistan, on behalf of the OIC, during interactive dialogue with
Special Rapporteurs on Freedom of Opinion and Expression, Extrajudicial
killings and summary executions and trafficking in persons, during 14th Session
of the HRC, Geneva, 3 June 2010**

Mr. President,

I am making these comments on behalf of the member states of the OIC.

The OIC reiterates the importance it attaches to the promotion and protection of the right to freedom of opinion and expression, which is an enabling right for the exercise and enjoyment of many other rights.

The Special Rapporteur in his latest report has reflected on some of the important aspects of this freedom namely general considerations on freedom of expression; its importance for the groups in need of particular attention to combat discrimination; permissible restrictions and limitations as well as protection of journalists in armed conflicts. We concur with most of his recommendations on the subject and acknowledge his forthright stance that freedom of expression is not an absolute right. International human rights law provides for explicit restrictions and limitations to this right and it must be exercised with responsibility. Governments therefore have the two way responsibility to promote and protect this right but also ensure its legitimate use and responsible exercise that does not lead to its abuse. Indeed the permissible restrictions serve to promote the true spirit and positive thrust of this freedom.

We support his views on avoiding concentration of media into large public or private consortia and its operation as a business which run counter to the principle of pluralism and diversity thus undermining genuine freedom of expression. He has also made an apt call to the mass media to provide coverage that creates and promotes an atmosphere of cultural diversity and multiculturalism. Similarly, we echo his call to prioritize bridging of digital divide and gap in technological progress between the developed and developing world, which will ensure equality of opportunities and true freedom of expression.

However, we regret that despite the explanations made and without understanding the underlying concerns the Special Rapporteur again chose to give unifocal and biased views on the concept of defamation of religion. In our short interaction yesterday, we tried to express our views that defamation is an abuse of the freedom of expression, where religions are targeted with malafied intent to stereotype and stigmatize certain religious and social groups. This leads to incitement, discrimination and violence against those groups, which limits not only their freedom of religion but enjoyment of most of the fundamental human rights.

The OIC has never objected to religions being subject to scrutiny, comment or criticism. Critical thinking helps progressive development but deliberate insults, ridiculing and stigmatizing does exactly the opposite. Tolerance is a two way street and peaceful coexistence cannot be ensured where people do not respect others' views, values and beliefs. There must be differentiation between freedom of expression and freedom to insult or stigmatize. Similarly, the concept does not seek to provide

protection to the religions but its followers who are humans and do enjoy human rights.

We have repeatedly provided examples of UN resolutions, Parliamentary Acts and regional Declarations that condemn, call for monitoring and prohibit defamatory acts against a specific religious group, and rightly so. Indeed similar protection needs to be granted to all religious groups. OIC's resolution on "combating defamation of religions" accordingly seeks respect and tolerance for all religions and beliefs.

Defamation of religions is a contemporary challenge that seeks to undermine the democratic and multicultural fabric of many societies. Increased instances of public prohibitions on religious expressions are manifestations of this growing trend, which is also commented by the Special Rapporteur in para 29 of his report. In accordance with his mandate we expected him to report on these abuses of freedom of expression and look forward to listening his views on the subject. We also reiterate our request to the Special Rapporteur to enter into a dialogue with us on the subject, which will help him better understand the underlying concerns and reflect on the issue of defamation of religions in greater details.

The OIC thanks Ms. Ezeilo, the Special Rapporteur on trafficking in persons, especially in women and children for presenting her report to the Council.

Trafficking in persons is a matter of serious concern today for the international community, which is taking place in various forms around the world. No region is immune from this modern form of slavery. As per statistics given in the Global report on Trafficking in persons issued by UNODC in 2009, intra-regional and domestic trafficking are the major forms of trafficking in persons. It necessitates the concerned governments to take appropriate actions at regional as well as national levels to check trafficking.

Therefore, the OIC appreciates the work done by the Special Rapporteur in her report by analyzing the activities being undertaken by regional and sub-regional organizations in the fight against trafficking. Her analysis along with the recommendations can help the governments to streamline their activities in their regional frameworks.

The OIC agrees with the Special Rapporteur that a high-level political commitment is required for effective and sustainable regional mechanism in the fight against trafficking. These regional mechanisms can be instrumental in monitoring, collecting data, exchanging information, creating awareness, sharing best practices etc. to check the trafficking in persons.

We support the recommendation that the international community should support regional mechanisms in their efforts to provide assistance to countries in developing their human-rights based anti-trafficking strategies.

As regards the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, we appreciate his hard work in preparing a number of reports for this session. However, we deeply regret the very late submission of the report with the three addendums on thematic issues. This has restricted the ability of States to

carefully review these important reports and present their informed views on the subject. It is regrettable that addendums covering thematic subjects which involved legal views on a range of countries were presented just a day before the debate. It is simply against the spirit of a respectful and constructive dialogue thus unacceptable.

As for his main report we take note of the recommendations made by him to improve the effectiveness of the communications sent to the Governments by the Special Procedures and the nine areas of research identified for future work of this mandate. We thank him for his hard work during his tenure, which benefited the Council in better understanding of the mandate assigned. We also wish him well in his future assignments.