

NGO name: European Centre for Law and Justice (ECLJ)

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The ECLJ would like to thank and congratulate the Special Rapporteur for his Report and activities. The Rapporteur emphasizes in his report that “peace can be promoted by facilitating the free flow of ideas.” Article 19 of the ICCPR provides that everyone has the right to hold and express opinions without interference, and that this right includes the freedom to seek, receive, and transmit information of all kinds, including religious expression.

More than one in five countries worldwide penalize religious expression through blasphemy or apostasy laws. According to Pew Research Forum, there is a strong correlation between blasphemy laws, sectarian violence, and the restrictions of other fundamental human rights. Of these countries, over 59% of them have additional governmental restrictions on religion and social hostilities are more than twice as high as countries without blasphemy laws. In this respect, the asserted goal of blasphemy laws backfires – restricting expression does not promote a culture of respect, rather it promotes a culture of violence. Blasphemy laws do not promote peace or the free flow of ideas.

Freedom of expression as it pertains to religious expression must be an open dialogue for all faiths, without regard to whether a specific religious belief is popular and embraced by a vast majority or, conversely, the religion is disliked by the majority and practiced only by a small minority of a state’s citizenry. Religious minorities, like Saeed Abedini, who is imprisoned in the Islamic Republic of Iran for expressing his religious beliefs, must be able to publicly and privately express their chosen religious beliefs with equal freedom as the majority faith and without threat of government or social persecution.

Violations of the right to freedom of expression must be something more than a discussion. Member states must address the reality – that restricting freedom of expression, especially religious expression, is not in the best interests of a country’s citizens or a country’s security. The asserted ‘right’ of a religious belief system to be free from criticism should never trump the rights of an individual human being. Member states must take proactive steps to remove domestic restrictions on freedom of religious expression. The ECLJ encourages the rapporteur to further review the correlation between government restrictions on religious expression and the rise of social sectarian violence.