

UN anti-blasphemy measures have sinister goals, observers say

Steven Edwards, Canwest News Service

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UNITED NATIONS - Islamic countries Monday won United Nations backing for an anti-blasphemy measure Canada and other Western critics say risks being used to limit freedom of speech.

Combating Defamation of Religions passed 85-50 with 42 abstentions in a key UN General Assembly committee, and will enter into the international record after an expected rubber stamp by the plenary later in the year.

But while the draft's sponsors say it and earlier similar measures are aimed at preventing violence against worshippers regardless of religion, religious tolerance advocates warn the resolutions are being accumulated for a more sinister goal.

"It provides international cover for domestic anti-blasphemy laws, and there are a number of people who are in prison today because they have been accused of committing blasphemy," said Bennett Graham, international program director with the Becket Fund, a think tank aimed at promoting religious liberty.

"Those arrests are made legitimate by the UN body's (effective) stamp of approval."

Passage of the resolution is part of a 10-year action plan the 57-state Organization of Islamic Conference launched in 2005 to ensure "renaissance" of the "Muslim Ummah" or community.

While the current resolution is non-binding, Pakistan's Ambassador Masood Khan reminded the UN's Human Rights Council this year that the OIC ultimately seeks a "new instrument or convention" on the issue. Such a measure would impose its terms on signatory states.

"Each time the resolution comes up, we get a measure of where the world is on this issue, and we see that the campaign has been ramped up," said Hillel Neuer, executive director of the Geneva-based monitoring group UN Watch.

While this year's draft is less Islam-centric than resolutions of earlier years, analysts note it is more emphatic in linking religion defamation and incitement to violence.

That "risks limiting a broad range of peaceful speech and expression," Neuer argues.

The 2008 draft "underscores the need to combat defamation of religions, and incitement to religious hatred in general, by strategizing and harmonizing actions at the local, national regional and international levels."

It also laments "Islam is frequently and wrongly associated with human rights violations and terrorism."

But Western democracies argue that a religion can't enjoy protection from criticism because that would require a judicial ruling that its teachings are the "truth."

"Defamation carries a particular legal meaning and application in domestic systems that makes the term wholly unsuitable in the context of religions," says the U.S. government in a response on the issue to the UN High Commissioner for Human Rights.

"A defamatory statement . . . is more than just an offensive one. It is also a statement that is false."

The paper also points out the legal difficulty of even defining the term "defamation" since "one individual's sincere belief that his or her creed alone is the truth conflicts with another's sincerely held view of the truth."

Yemen, on behalf of OIC, successfully introduced the measure to the UN General Assembly for the first time in 2005 after Pakistan first tabled it 1999 for annual consideration in the Human Rights Commission - the Council's forerunner.

Canada and other Western countries emphasize the distinction between granting an "idea" rights - and defending the right of people not to be discriminated against.

"Canada rejects the basic premise that religions have rights; human rights belong to human beings," said Catherine Loubier, spokeswoman for Foreign Affairs Minister Lawrence Cannon.

"The focus (here) should not be on protecting religions, but rather on protecting the rights of the adherents of religions, including of people belonging to religious minorities, or people who may choose to change their religion, or not to practice religion at all."

Muslim countries say they are only trying to cut down of what they see as extensive bias against Islam in the West. In the lead-up to Monday's vote, many referred, for example, to the 2005 publication of Danish cartoons that satirized Muhammad, and which touched off riots through the Muslim world.

"Everybody is aware that there is a campaign in certain media to fuel the fire of incitement to hatred and to disfigure certain persons or figures through caricature," said one Sudanese diplomat.

But supporters of the Western position say the resolution and its predecessors contribute to increasing discrimination based on religion.

"From the human rights side of things, this is the opposite of what is supposed to be happening," said Becket's Graham. "Instead of protecting an individual, this resolution protects an idea, and relies on hurt feelings as a source of judgment. It can only lead to a jurisprudence of hurt feelings."

Canada says governments have abused laws against defamation or contempt of religions to "prosecute and imprison journalists, bloggers, academics students and peaceful political dissidents."

The Iranian parliament, for example, is currently weighing a draft amendment to its penal code that would impose capital punishment for apostasy.

But in an irony given Canada's stance, an anti-blasphemy law remains in the Criminal Code. Experts point out it has not been used for a prosecution in more than 70 years.

There's also consensus among opponents of the UN measure that people most likely to be targeted by anti-blasphemy laws are Muslims in Muslim countries.

"Pakistan has the (toughest) anti-blasphemy laws, and while they are certainly used against lots of minority religions, they are used mainly against Muslims," said Graham.

"They have been used to intimidate business partners, suppress any reformist ideas, jail people who discuss women's rights."

But he also noted that anti-blasphemy themes have been cited in countries that are predominantly non-Muslim.

"There are cases in Russia dealing people suing TV stations for airing South Park and the Simpsons because they see them as defamatory to Christianity," he explained.

"A lot of the violence in India dealing with Hindus and Christians is being spurred on by accusations that Hindu gods are being defamed, while there are also cases against artists in India for depicting Hindu gods in modernist way."