

حوائیة زیر اش مسلم قوانین
Women Living Under Muslim Laws
النساء فی ظل قوانین المسلمین
Femmes sous lois musulmanes

International Solidarity Network

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Women Living Under Muslim Laws Demands the UN Resolution on Combating Defamation of Religions be revoked

The Women Living Under Muslim Laws (WLUML) international solidarity network is deeply concerned about the United Nations Resolution on 'Combating defamation of religions'. On 18 December 2007, the UN General Assembly adopted this resolution recommended by its Third Committee (Social, Humanitarian and Cultural), and long campaigned for by the Organisation of the Islamic Conference (OIC), which has a permanent delegation to the United Nations. In March 2009, the UN Human Rights Council once again passed the Resolution, which urges the creation of laws in member states to prevent criticism of religion; while it makes specific mention of Islam, the laws could be applied to all religions and forms of belief. Members of the Human Rights Council voted 23 in favour of the Resolution, 11 nations opposed the Resolution and 13 countries abstained.

Ahead of the vote, hundreds of secular, religious, media, women's and other groups from around the world appealed to the Council in Geneva to reject the proposals, which were introduced by the 56-nation of the OIC. Civil society groups have expressed that the 'combating defamation of religion' Resolution may be used in certain countries to silence and intimidate human rights defenders, religious minorities and dissenters, and other independent voices. In effect this resolution has the potential to dramatically restrict the freedoms of expression, speech, religion and belief. Item 12, which "Underscores the need to combat defamation of religions by strategizing and harmonizing actions at local, national, regional and international levels through education and awareness-raising", can be used to silence progressive voices who criticize laws and customs said to be based on religious texts and precepts. Furthermore, this Resolution will have a disastrous effect on national laws in several countries that already stipulate they will comply with international treaties on human rights *only* if they do not prejudice laws said to derive from Islam.

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Women Living Under Muslim Laws maintains that this Resolution has no place in international law because only individuals – not concepts or beliefs – can be defamed. After meeting on 9 December 2008 in Athens, the UN Special Rapporteur on Freedom of Opinion and Expression, Frank LaRue, the OSCE Representative on Freedom of the Media, Miklos Haraszti, the OAS Special Rapporteur on Freedom of Expression, Catalina Botero, and the ACHPR (African Commission on Human and Peoples' Rights) Special Rapporteur on Freedom of Expression and Access to Information, Faith Pansy Tlakula, released a joint declaration on defamation of religions, and anti-terrorism and anti-extremism legislation, in which they stated: "The concept of 'defamation of religions' does not accord with international standards regarding defamation, which refer to the protection of reputation of individuals, while religions, like all beliefs, cannot be said to have a reputation of their own."

Human rights are inalienable and indivisible. A resolution which in effect could be used to prevent constructive debate, criticism, and creative expression has the potential to severely curtail the rights of the most vulnerable members of society, including women and/or members of religious, sexual, ethnic minority communities. This Resolution will do nothing to counter the racism towards and singling out of Muslims. Those supporting this Resolution are using the very real discrimination faced by minorities due to their religious and ethnic identities to gravely jeopardize the rights of minority and majority communities alike to the freedoms of expression and belief or non-belief, the right to reinterpretation of religious texts and laws, and the freedom to express their sexuality, which they are entitled to under national and international laws, without fear of repression and punishment.

The International Coalition of Women Human Rights Defenders, of which WLUML is a part, proclaimed in their statement on the occasion of International Women's Day 2009: "We stress the importance of the work done by women human rights defenders to document, monitor and provide protection for those under attack for their religion or belief as well as for exercising their right to freedom of expression. We hold these two rights to be inter-dependent and mutually reinforcing and note that attempts to limit them on grounds of 'defamation of religion' will undermine existing standards, and hinder the work of defenders by legitimizing targeted attacks on them."

To adopt this Resolution would effectively place the tenets of religion in a hierarchy above the rights of the individual. As the protection of fundamental human rights is at the forefront of the United Nations stated mission and mandate, we demand that the Resolution on 'Combating defamation of religions' be revoked and that the rights to freedom of expression and belief are upheld and championed by policy-makers and national governments.