

UN Human Rights Council  
22nd session – Item 9  
Resolution L.40 – General Comment

**Combating intolerance, negative stereotyping and stigmatization of, and  
discrimination, incitement to violence and violence against, persons based on  
religion or belief**

**EU General Comment (revised)**

Thank you Mister President.

I have the honour to speak on behalf of the European Union.

I would like to reiterate the European Union's commitment to tolerance, non-discrimination, freedom of expression, and freedom of thought, conscience and religion or belief. These are concepts on which the EU was founded and to which all EU member states are steadfastly committed. We firmly believe that dialogue is the only way to overcome misperceptions and differences of opinion on these important issues. We remain committed to participating actively in this dialogue.

Human Rights Council resolution 16/18 represented a landmark in the Human Rights Council's treatment of combating religious intolerance. It set to rest over a decade of division, in favour of a consensual and cooperative approach. We are very concerned to see this cooperative approach being progressively eroded. The key feature of resolution 16/18 is its call for concrete actions by States to combat intolerance and other similar phenomena against persons based on their religion or belief. This emphasis on action – to share best practice, to overcome community differences, to protect the rights of individuals – should be our main priority.

The dilution of the emphasis on action by States is one of the main concerns the European Union has with the resolution before us. But let me emphasise two more concerns, which are very important for our future work in Geneva and in New York:

Firstly, we believe that there should be a much stronger human rights focus to this resolution and the wider agenda. Particularly on the twin and reinforcing freedoms of religion and belief, and of opinion and expression. Such a human rights focus could have been demonstrated in a number of ways: in the more consistent use of "belief" alongside "religion"; in explicitly recognizing the centrality of individuals, whether as objects of human rights protection or as actors in dialogue; in referring to a more inclusive concept of diversity; and in emphasizing the central role for human rights protection in combating intolerance. But perhaps above all by explicitly acknowledging that criminalizing or suppressing speech can never be the answer to the problem of intolerance.

Secondly, we are concerned by increasing efforts to dilute the focus on the domestic dimensions of intolerance. For the large majority of victims, the intolerance, discrimination and violence they face is at the local and national levels. And the primary

responsibility to combat such intolerance and to safeguard individual rights, particularly of those belonging to minority communities or groups, rests with the State. Similarly, while disapproving of individuals' acts of intolerance, we should be clear that responsibility for them cannot be allocated to whole peoples, nations or governments. We should not give credence to the idea that speech in one country can lead in itself to tension between countries. Nor give legitimacy to the manipulation of such speech to stir up further intolerance, hatred and violence. Such a world-view serves to highlight divisions, rather than commonalities.

Let me end, Mister President, with a clear message. The consensual adoption of Human Rights Council resolution 16/18 was a landmark. We stand by that consensus, and we will work hard to uphold it. But we will oppose any attempt to undermine the consensus, whether it involves impinging on the right to freedom of expression, or detracting from what must be the focus for all of us: taking concrete real-world efforts to combat intolerance in each of our countries. This is indeed the core of the values on which our democracies are built and to which our peoples are strongly attached.

Thank you Mister President.