

Statement by Ms. Tehmina Janjua, Acting Permanent Representative of Pakistan, on behalf of the OIC, under agenda item 9 Racism, Racial Discrimination, Xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action, Geneva, 19 September 2008

Mr. President,

I have the honour to make this statement on behalf of the member states of the Organization of the Islamic Conference.

The OIC is particularly grateful to Mr Doudou Diene, the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, for his seminal work and his tireless commitment to addressing all issues relating to his mandate and in particular the question of the defamation of religions. His analysis and recommendations that have been somewhat recapitulated in the latest report reflect the extensive work that he has done on one of the most insidious and fast spreading forms of contemporary racism, racial discrimination and xenophobia- Islamophobia. In the UN context, his work on the subject is of a path breaking nature. We hope that the discriminations, violations identified by him and his recommendations with regard to Islamophobia, anti-Semitism and Christianophobia will be built upon by the human rights machinery to provide protections to communities that are targeted because of their religious beliefs and racial origins.

This is an issue to which the OIC attaches great importance and hence is extremely disappointed that Mr. Diene's latest report is available only in one UN language.

Mr. Doudou Diene comprehensively defined Islamophobia as a term that refers to unfounded hostility and fear toward Islam and consequently fear and aversion towards all Muslims or the majority amongst them. It refers also to practical consequences of this hostility in terms of discrimination, prejudices and unequal treatment of which Muslims are the victims (whether individuals or as communities) and their exclusions from important political and social spheres. The term was created to respond to a new reality: the increasing discrimination against Muslims that has developed over years.

In 1998, the OIC took the initiative to table a resolution on the defamation of religions in the Human Rights Commission. The initiative reflected the OIC's concern with the aggressive anti Muslim discourse in the media and discriminatory practices against Muslim communities. These concerns have taken a sharper form in the post 9/11 period. Unfortunately, OICs efforts to focus attention on the plight of Muslims are being resisted despite the undeniable fact that Islam is increasingly vilified and Muslim people are facing discriminatory practices and unacceptable treatment.

The intellectual climate is increasingly marked by a disturbing tendency to demonize Islam. The highly dubious "clash of civilizations" thesis has fed into this and has given a certain political and policy validation to what is at heart of xenophobic and racist attitude.

The simple minded equation of Islam and the entire Muslim community with terrorism is a leap that defies logic. The actions of a few cannot be laid at the doorstep of an entire religion, the vast majority of whose adherents unequivocally condemn terrorism. Indeed there is an unwillingness to recognize the obvious fact that victims of terrorism are mostly Muslims themselves. Also, conflating Islam with terrorism is not only reprehensible ethically, but is also intellectually a poor move since it leads to ignoring the political basis of terrorism. It does not permit effective strategies for countering those who resort to terrorism, especially to de-legitimize the political content of their insidious agenda / programme.

Some of these points have been reflected upon by Mr. Diene. The OIC would urge that Mr. Diene's successor, Mr. Githu Muigai will continue to build on his work. In this context, the OIC would like to highlight some important points that require continuous focus and attention. These include, *inter alia*:

- Stereotyping of Islam and Muslims;
- Associating Islam with violence and terrorism;
- Impact/effects of the electoral successes of racist and Islamophobic parties/agendas;
- National policies and legislation leading to social and political stigmatization of Muslim minorities;
- Individual and collective violence against Muslims;
- Institutionalization of discrimination based on religion;
- Public discourse and actions that incite violence;
- Discrimination and intolerance towards Muslim religious symbols and religious signs.

Mr. President,

The High Commissioner's study compiling existing legislation and jurisprudence concerning defamation of and contempt of religions confirms the points oft repeated by the OIC. The report points out that some countries have adopted specific defamation of religions laws that extend the concept of defamation to protect religious and, in that sense, regard defamation of religions as essential to the protection of freedom of religion or belief.

In the context of the discussion on the relations of the freedom of religion to freedom of expression and other fundamental freedoms reference to the case of *Malcolm Ross Vs Canada* has been made. Under this case the Human Rights Committee held that the dismissal of a school teacher from his teaching position because of anti-Semitic statements that he published did not violate the author's rights to freedom of expression. This is the argument the OIC has been making with regard to the caricature publication and the filming of *Fitna*.

The OIC hopes that the work done by the Special Rapporteur and the OHCHR will reinforce the importance of developing international norms to combat the defamation of religions.

Finally, the OIC would like place on record its strong support for the successful outcome of the Durban Review Conference and will continue to display its constructive commitment to the process.

Thank you, Mr. President.