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Statement of the Holy See to the U.N. at the 28th Session of the Human Rights Council, Item 3 – Report of the Special Rapporteur on freedom of religion or belief (Geneva, 10 March 2015)

Here below the Statement by H.E. Archbishop Silvano M. Tomasi Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva at the 28th Session of the Human Rights Council, Item 3 - Report of the Special Rapporteur on freedom of religion or belief (Geneva, 10 March 2015):

Statement by H.E. Archbishop Silvano M. Tomasi

Mr. President,

The International Community is now confronted with a delicate, complex and urgent challenge with regard to respect for religious sensibilities and the need for peaceful coexistence in an ever more pluralistic world: namely, that of establishing a fair relationship between freedom of expression and freedom of religion. The relationship between these fundamental human rights has proven difficult to manage and to address on either a normative or institutional level. On the other hand, it should be recognized “that the open, constructive and respectful debate of ideas, as well as interfaith and intercultural dialogue at the local, national and international levels, can play a positive role in combating religious hatred, incitement and violence.”[1] Failure in this effort is evident when excessive and irresponsible use of freedom of expression result in intimidation, threats and verbal abuse and these infringe upon freedom of religion and can sadly lead to intolerance and violence. Likewise, the Special Rapporteur on Freedom of Religion has focused on the violence committed “in the name of religion”, [2] and on its root causes.

Unfortunately, violence abounds today. If genocide means any act committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such, [3] then the International Community as a whole is certainly witnessing a sort of genocide in some regions of the world, where the enslavement and sale of women and children, the killing of young men, the burning, beheading and the forcing into exile of people continue. In this context, the Delegation of the Holy See would like to submit to the joint reflection of the Human Rights Council that these and other unspeakable crimes are being committed against people belonging to ancient communities simply because their belief, social system and culture are different from the fundamentalist combatants of the so-called “Islamic State” group. The appeal to religion in order to murder people and destroy

the evidence of human creativity developed in the course of history makes the on-going atrocities even more repulsive and damnable. An adequate response from the International Community, that should finally put aside sectoral interests and save lives, is a moral imperative.

Violence, however, does not stem from religion but from its false interpretation or its transformation into ideology. In addition, the same violence can derive from the idolatry of State or of the economy, and it can be an effect of secularization. All these phenomena tend to eliminate individual freedom and responsibility towards others. But, violence is always an individual's act and a decision that implies personal responsibility. It is in fact by adopting an ethics of responsibility that the way toward the future can become fruitful, prevent violence and break the impasse between extreme positions, one which upholds any form of freedom of expression and the other which rejects any criticism of a religion. The risk of a double standard in the protection of human rights is never too far away. Some limits to freedom of expression are selectively imposed by law and accepted; meanwhile, systematic, provocative and verbally violent attacks on religion which hurt the personal identity of believers are endorsed.[4] Freedom of expression that is misused to wound the dignity of persons by offending their deepest convictions sows the seeds of violence. Of course, freedom of expression is a fundamental human right which is always to be upheld and protected; in fact, it also implies the obligation to say in a responsible way what a person thinks in view of the common good. Without this right, education, democracy, authentic spirituality would not be possible. It does not, however, justify relegating religion to a subculture of insignificant weight or to an acceptable easy target of ridicule and discrimination. Antireligious arguments even in the form of irony can surely be accepted, as it is acceptable to use irony about secularism or atheism. Criticism of religious thinking can even help dismantle various extremisms. But what can justify gratuitous insults and spiteful derision of the religious feelings and convictions of others who are, after all, equal in dignity? Can we make fun of the cultural identity of a person, of the colour of his skin, of the belief of his heart? A "right to offend" does not exist. Criticism can produce good results if it takes into account that persons are more important than their convictions or their belief and that they have, simply because they are human beings, an innate right to be respected.

The lack of an ethics of responsibility and fairness leads to the radicalization of positions when instead dialogue and mutual understanding are necessary to break the vicious circle of violence. The Constitution of the UNESCO reminds us that "since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed."[5]

Several mutually interdependent issues like freedom of religion, freedom of expression, religious intolerance, violence in the name of religion, come together in the concrete situations the world faces today. The way forward seems to be the adoption of a comprehensive approach that would consider these issues together in domestic legislation and deal with them in such a way that they may facilitate a peaceful coexistence based on the respect of the inherent human dignity and rights of every person. While opting to be on the side of freedom, the consequences of its exercise cannot be ignored and they should respect this dignity and, thus, build a more humane and more brotherly global society.

Thank you, Mr. President.

[00494-EN.01] [Original text: English]

[B0220-XX.01]

[1] Human Rights Council Resolution 16/18 on "Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief," par. 5 (h), pag. 3.

[2] Cfr., doc. A/HRC/28/66 par.3-82 pag, 3-18.

[3] Cfr., Articles II and III of the 1948 Convention on the Prevention and Punishment of Genocide.

[4] Cf. U.N. Doc. A/HRC/25/34, para.127.

[5] Constitution of the United Nations Educational, Scientific and Cultural Organization, 1945. Preamble.
