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STATEMENT

BY

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**ON BEHALF OF THE
ORGANIZATION OF THE ISLAMIC CONFERENCE**

AT THE

SECOND SESSION OF THE HUMAN RIGHTS COUNCIL

ON

**“INCITEMENT TO RACIAL AND RELIGIOUS HATRED
AND THE PROMOTION OF TOLERANCE”**

**Geneva,
21 September 2006**

**OIC Statement by Ambassador Masood Khan on "Incitement
to Racial and Religious Hatred and the Promotion of Tolerance"
at Human Rights Council
Geneva, 21 September 2006**

Mr. President,

We thank the High Commissioner for Human Rights and the Special Rapporteur on freedom of religion or belief and on contemporary forms of racism for their reports in response to the Human Rights Council's request made in response to resolution 2006/107 on "Incitement to Religious Hatred and the Promotion of Tolerance". Prepared in a short time, these reports represent initial thoughts and analysis.

Mr. President,

We are especially thankful to you for creating the space for this dialogue and handling the whole issue of religious tolerance with the sensitivity it deserves.

The debate being held here today has two contexts: the immediate and the long term. First the immediate context. Pope Benedict XVI's recent speech in Regensburg University has led to protests in the Muslim world. His quotation from the 14th century Byzantine Emperor, Manuel II Paleologos, has deeply hurt the sensibilities of the Muslim. Since then we are reassured that the Pope has expressed regrets, distanced himself from the quotation and given an invitation for frank dialogue with mutual respect.

Unfortunately, that is not the end of the story because the Pope's remarks have ignited a controversy about the true message of the Prophet Mohammad (peace be upon him) and Islam. The Pope's qualified and carefully worded apology, if it can be called one, or the Vatican's clarification give the impression that the Muslims have not fully understood the intent and reasoning behind the papal lecture. The irony is that they have.

The Emperor's quotation is based on three elements: allegation against the Prophet's legacy; a statement that Islam was spread by the sword; and an insinuation that there is a nexus between violence and Islam and violence in Jihad.

The easiest course of action would be to cite instances of violence emanating from or within Christendom. But such a reaction would be based on prejudice and arrogance. We do not want to change the subject. Let us take these issues one by one.

One, the Prophet's legacy is one of peace and amity; not of strife or war. He was a peace-maker and a peace-builder. The Medieval Emperor's remarks are so offensive that Muslim leaders protesting against them have

not repeated them. Even novices know that in the Muslim world insult to the Prophet is non-negotiable and it is illegal in some Muslim states. It then boils down to sensitivity.

Two, Islam was not spread by the sword. There is no coercion in Islam. The Quran enjoins "There is no compulsion in religion." (2:256). This is a *grund norm* in Islam. The Quran summons people to peace and says if you kill one innocent person you will be considered to have murdered the entire humanity (5:32) There are instances in history where converts have been discouraged from embracing Islam if they were not fully convinced and were not doing so of their free will.

Three, Islam forbids violence in all its forms. The 9/11 terrorism violated the basic laws and tenets of Islam. Terrorists cannot speak for Islam or for any other religion. Violence is as alien to Islam as to Christianity. To suggest that extremism is an ingrained part of Islam is a travesty.

Four, Jihad means "striving" or "struggle". The greater Jihad is an individual's quest for spiritual reform and cleansing. The lesser Jihad is the right to individual and collective self-defense, not dissimilar to Article 51 of the United Nations Charter.

The Pope is seen as a global leader with moral authority – fair to all faiths and value systems. Pope John Paul II had set a glorious tradition by visiting a mosque to signal a culture of tolerance and understanding. Regression to Medievalism or recrudescence of the Crusades would conflict with the uniting forces of modernity, globalization and religious harmony.

Violence used as a means to protest against Islamophobia is condemnable. Those inciting or committing violent acts in the name of Islam do so to pursue their broader political agenda. The protests by the Muslim citizens against the remarks of the Pope have been by and large restrained and peaceful. Muslims' voices reflect their conviction that there is a world conscience which would respond to their concerns. If this was an illusion, they would conclude that the West is inherently Islamophobic and they would rely on own internal dialogue to resolve these issues.

Mr. President,

In regard to the long term perspective, the OIC has five concerns:

- *One*, Islamophobia is on the rise in Europe and North America. This has been confirmed by the Special Rapporteur on contemporary forms of racism. Most ominously, the phenomenon has political, ideological and security underpinnings.

- *Two*, the caricatures and similar defamatory utterances are a precursor to a more fateful global crisis.
- *Three*, Islam is deliberately equated with terrorism and extremism. Those whipping up frenzy against Muslims use fundamentalism as a pretext but they are really concerned about the growing influence of the educated, modern and moderate Muslims in Europe, and North America and Canada who are moving into mainstream politics and businesses.
- *Four*, Muslims are being demonized and dehumanised as Jews were in the interwar period in the last century. Freedom of expression is exercised selectively, restricting it, and rightly so, in case of anti-Semitism but justifying its unhindered application in regard to Islamophobic speech and publications.
- *Five*, the underlying causes are not a fight for the Western values but migration patterns that threaten current demographic balance in Europe.

Mr. President,

The OIC countries are not seeking palliatives, but concrete action, to redress Islamophobia. Incitement to racial and religious hatred is a serious problem. It has huge economic and political costs. It kills people. It leads to disruption and dislocation; to boycotts and to wars. It violates human rights. It is this Council's responsibility to promote harmony to make stout laws that would help convert the worst consequences of Islamophobia. There are some embryonic legal elements in the International Covenant on Civil and Political Rights and the International Convention on the Elimination of Racial Discrimination to deal with incitement to religious hatred. We should invoke and apply them faithfully. But the High Commissioner and the two Specials Rapporteurs point to the juridical vacuum and paucity of the relevant laws to address tolerance issues. We would therefore make four concrete proposals:

- The Council in its relevant resolutions and decisions should reject the conflation of Islam with violence and terrorism and promote religious multiculturalism. It should appeal to UN member states to deter and discourage antagonism against Islam
- The Council in its next session should organize a high level segment to focus on the incitement to racial and religious hatred and promotion of tolerance.
- Council members should start consultations to examine the possibility of drafting a Convention to combat defamation of religions and to promote religious tolerance.
- The Council should use its influence to act as a catalyst in the dialogue of civilizations.

I thank you, Mr. President.