

## **United States Government Response to the United Nations Office of the High Commissioner for Human Rights concerning Combating Defamation of Religions**

We are writing in response to your letter dated March 25, 2010 referring to General Assembly resolution 64/156 entitled “Combating Defamation of Religions.” Resolution 64/156 was adopted by a splintered vote of 80 (in favor), 61 (against), and 42 abstentions. The most recent version of this resolution, Human Rights Council resolution, 13/16, was adopted by an increasingly narrow margin of 20 (in favor), 17 (against), and 8 abstentions.

As stated in our 2008 submission on this topic to the United Nations, the United States does not believe the concept of “defamation of religions” is consistent with international human rights law. We believe that this resolution seeks unacceptable limitations on the freedoms of religion and expression and that such measures do not properly address the underlying concerns we believe to be animating the resolution, such as discrimination and religious intolerance. To foster tolerance and religious understanding and pluralism, it is individuals, belonging to minority and majority groups, who need protection against discrimination and to ensure their rights. Not only are religions not protected under human rights law, attempting to protect religions can undermine an individual’s human rights to freedoms of religion and expression.

The United States shares a deep concern about discrimination, the targeting and ridiculing of individuals based on their religion, and interreligious violence. We also share concerns about undue restrictions on places of worship and on religious attire and concerns about actions that willfully exploit tension or perpetuate negative stereotypes. We believe that governments have a moral responsibility to speak out and condemn intolerance, and a duty to ensure the right of all individuals to freely express their faith. Governments also have an obligation to promote and protect the freedom of expression, which fundamentally undergirds our freedom to worship and manifest our belief.

The United States recognizes that religion is a key source of identity and a powerful mobilizing force around the world. Religion, and the freedom of religion, play an important societal role in many countries, including our own, and are also crucial to the creation of tolerant and respectful societies that welcome the diversity of religious belief. The United States strongly believes that protecting freedom of religion promotes mutual respect and pluralism, and is essential to human dignity, robust civil society, and political and economic development. It is

the duty of all governments to protect the ability of every individual to profess and practice his or her own faith.

As stated in our 2009 submission to the United Nations, we strongly believe that our shared concerns can form the basis of a new approach that could command consensus and demonstrate the potential of UN bodies to address global problems. The issues of intolerance, bigotry, violence, and discrimination are squarely on the table, and there is a debate within the UN system on how to address these issues most effectively. With great respect and unflagging commitment in our search for a solution to the underlying concerns, the United States asserts that the defamation resolution has failed to galvanize international support for real solutions nor has it resulted in greater respect or tolerance; instead, it has become an instrument of division.

We are deeply disturbed by the recent targeting of members of religious minorities and outbreaks of inter-religious violence in virtually every region of the world. These worrying developments demonstrate the need for the international community to take concerted action to challenge stereotyping, discrimination, and violence motivated by racial or religious hatred with an action-oriented approach that combats discrimination and intolerance, in particular toward members of racial and religious minorities.

The United States strongly believes that governments have the tools to address intolerance, and these tools include a combination of robust legal protections against discrimination and hate crimes, proactive government outreach to members of minority groups, inter-religious efforts, education, and the vigorous defense of freedoms of religion and expression. Respectful societies are built by individuals on the basis of open dialogue. In such societies, when hateful ideas are held up to the bright light of public scrutiny, they are shown for what they are – lacking merit, and based on fear and ignorance.

To that end, we look forward to a constructive dialogue on these important issues. Our country has learned from its own imperfect past that freedom of religion and expression, including religious expression, strengthens social stability by fostering a climate of respect and understanding among diverse communities.

The United States is deeply committed to addressing concerns of intolerance and discrimination and is eager to work with the Human Rights Council to address the root causes behind the “Combating Defamation of Religion” resolution in the spirit of consensus.