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## **Racism and Religious Discrimination:** Is the concept of “Defamation of Religions” productive?

### **Intervention at the tenth regular session of the Human Rights Council**

(2 March 2009 – 27 March 2009)

Item 9 General Debate

United Nations, Geneva

24 March 2009

Final transcript draft

Compare against recording

Mr. President,

I think we can all agree that this agenda item on racism is an extremely important one in the world today. Despite the dreams of Martin Luther King, Jr., Nelson Mandela, and Mahatma Gandhi, racism is still ever-present. We must make sure in our discussion here today and as we prepare for the significant Durban Review Conference, that we focus on racism.

It is therefore unfortunate that the concept referred to as “combating the defamation of religions” has consistently been raised under Item 9 (racism and related forms of intolerance) instead of Item 3 (the promotion and protection of all human rights). We fully recognize that religious discrimination often coincides with acts of racism, but we must distinguish between that sociological occurrence and the conflation of legal protections against racism and religious discrimination.

Race is something I simply can’t change. My skin is white and that is not something I chose or am able to alter. Religion on the other hand, even as it has communal and public expression and purpose, is something that exists in the forum internum and calls to choices of the conscience. Moreover, my *understanding* of belief and ultimate truth will probably continue to change, evolve, and mature, although I believe that the truth itself does not. Thus, the law must treat race and religion differently.

Mr. President, no matter what governments may say or do to me, they can’t force me to believe anything. Nonetheless, the criminalization of peaceful religious speech is being

used around the world to advance political agendas. The abuse of anti-blasphemy and anti-defamation of religions laws in countries around the world only silences those who do not agree with the majority.

We agree with the High Commissioner on Human Rights and a host of Special Rapporteurs including the Special Rapporteur on Freedom of Religion or Belief, the Special Rapporteur on Racism, and the Special Rapporteur on Freedom of Expression that most of this conversation should take place within the context of incitement to religious violence, but we urge delegations not to create overly broad laws that criminalize peaceful speech. We already have the tools we need to address issues of incitement and religious discrimination through education and public relations, we just need to use them better.

Thank you, Mr. President.