



# General Assembly

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## Human Rights Council

### Fifty-third session

19 June–14 July 2023

Agenda item 1

### Organizational and procedural matters

#### Pakistan\* and State of Palestine\*\*: draft resolution

### 53/... Countering religious hatred constituting incitement to discrimination, hostility or violence

*The Human Rights Council,*

*Guided by the purposes and principles of the Charter of the United Nations,*

*Reaffirming* the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief,

*Noting with deep concern* the rising incidents of desecration of sacred books and places of worship as well as religious symbols, which constitutes incitement to violence,

*Echoing* the strong rejection and condemnation of recurring acts of public burning of the Holy Qur'an in some European and other countries, by States, the Secretary-General, the High Representative for the United Nations Alliance of Civilizations, and many others,

*Affirming* that burning the Holy Qur'an or any other holy book is offensive, disrespectful and a clear act of provocation, constituting incitement to discrimination, hostility or violence and a violation of international human rights law,

*Taking note* in this regard of the report presented by the Special Rapporteur on freedom of religion or belief to the Human Rights Council in 2021 on countering Islamophobia/anti-Muslim hatred to eliminate discrimination and intolerance based on religion or belief,<sup>1</sup> in which the Special Rapporteur documented, inter alia, the human rights impacts and drivers of this growing phenomenon,

*Welcoming* the unanimous decision made by the General Assembly to proclaim 15 March the International Day to Combat Islamophobia,<sup>2</sup> and noting its first commemoration in 2023,

*Emphasizing* that freedom of religion or belief, freedom of opinion and expression, the right to peaceful assembly and the right to freedom of association are interdependent, interrelated and mutually reinforcing, and stressing the role that these rights can play in the fight against all forms of intolerance and of discrimination based on religion or belief,

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\* On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation.

\*\* State not a member of the Human Rights Council.

<sup>1</sup> A/HRC/46/30.

<sup>2</sup> General Assembly resolution 76/254.



*Acknowledging* that the exercise of the right to freedom of expression carries with it special duties and responsibilities, as stipulated in articles 19 and 20 of the International Covenant on Civil and Political Rights,

*Recalling* that racism, racial discrimination, xenophobia and related intolerance are manifested on the grounds of race, colour, descent or national or ethnic origin, and that victims can suffer from multiple or aggravated forms of discrimination based on other related grounds, such as sex, language, religion, disability, political or other opinion, social origin, property, birth or other status,

*Recalling* Human Rights Council resolution 52/38 of 4 April 2023 on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief,

*Condemning* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means,

*Recognizing* the gaps in national legal, policy and administrative frameworks that impede prevention and prosecution of acts and advocacy of religious hatred that constitute an incitement to discrimination, hostility or violence committed against persons based on religion or belief,

1. *Condemns and strongly rejects* the recent public and premeditated acts of desecration of the Holy Qur'an, and underscores the need for holding the perpetrators of these acts of religious hatred to account in line with obligations of States arising from international human rights law;

2. *Calls upon* States to examine their national laws, policies and law enforcement frameworks with a view to identifying gaps that may impede the prevention and prosecution of acts and advocacy of religious hatred that constitute incitement to discrimination, hostility and violence, and to take immediate steps to plug those gaps;

3. *Urges* the United Nations High Commissioner for Human Rights and all relevant special procedures of the Human Rights Council, within their respective mandates, to speak out against advocacy of religious hatred, including acts of desecration of sacred books that constitutes incitement to discrimination, hostility or violence, and contribute to the process of examination of gaps in national laws, policies and practices and recommend redressal measures;

4. *Decides* to organize an interactive panel discussion of experts at its fifty-fourth session to identify drivers and manifestations of religious hatred against persons based on their religion or belief, revered personalities, holy books, religious symbols and places of worship, and to outline existing gaps in laws, policies, practices and law enforcement that impede the prevention and prosecution of public and premeditated acts, and to propose normative, legal, policy and administrative deterrence, both offline and online, to counter such acts of religious hatred that constitute incitement to discrimination, hatred or violence against individuals based on their religion or belief, and also hinders full enjoyment of their fundamental rights and freedoms, and invites the Office of the United Nations High Commissioner for Human Rights to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, civil society and other stakeholders with a view to ensuring their participation in the panel discussion;

5. *Requests* the Office of the High Commissioner to present a report on the deliberations of the panel discussion to the Human Rights Council at its fifty-fifth session;

6. *Requests* the High Commissioner to present at its fifty-fifth session an oral update on the drivers and root causes of religious hatred constituting incitement to discrimination, hostility or violence, highlighting gaps in existing national frameworks, in particular in the context of recent and recurring incidents of deliberate desecration of the Holy Qur'an, to be followed by an interactive dialogue;

7. *Decides* to remain seized of this matter.