



United Nations Human Rights Council: 27th Session (8th – 26th September 2014)

Item 4 General Debate

Tuesday 16th September

Speaker: BHA Representative, Amelia Cooper

Blasphemy and Offence Laws

Thank you Mr President.

Blasphemy and offence laws, typically used to protect religious sensitivities and consistently denounced as inconsistent with international human rights law, are increasingly being used as a sweeping term to silence debate or dissent on politics and to curtail the activities of human rights defenders¹, thereby infringing upon both the rights to freedom of thought, conscience, religion or belief and of freedom of expression.

Online activists are often targeted by blasphemy laws, as in the case of Saudi Arabian Raif Badawi, whose punishment for establishing a liberal website includes 1000 lashes², which, following the recent failure of his appeal³ and according to reports, could begin next month⁴. Reportedly due to receive fifty lashes per session⁵, outside the al-Jafari mosque, his public pain will serve to intimidate and silence other human rights defenders and dissenters⁶.

In Morocco, student Abdessamad Haydour remains in jail on a three year sentence for *'insulting the King'*⁷ in a video posted online, despite the 2011 constitutional guarantee to protect *'freedom of thought, opinion, and expression in all its forms'*⁸. Nobody, King nor common man, has the right not to be offended.

There is no recourse to justice for those accused of blasphemy, given that the existence of the notion in national penal codes undermines human rights law. Badawi and Haydour have been adequately processed through a judicial system, yet to call their sentences 'justice' is laughable.

Therefore, we urge:

- that States take immediate steps to align their domestic legislation with their international obligations, including the repeal of blasphemy and offence laws;
- that there is an end to State impunity regarding human rights abuses, notably the arbitrary use of blasphemy laws;
- and that existing human rights instruments, from the fundamental principles set forth in the ICCPR to specialized conventions, such as the Rabat Plan of Action, are strictly adhered to.

Thank you.

¹ For example, in the case of Raif Badawi, and in the case of Maryam Al-Khawaja, who, among other charges, has been charged with 'insulting the King'.

² http://www.centerforinquiry.net/cfe/cases/raif_badawi

³ <http://livewire.amnesty.org/2014/09/05/internet-governance-forum-a-missed-opportunity-for-human-rights/>

⁴ <http://alhayat.com/Articles/4590799>

⁵ <https://uk.news.yahoo.com/saudi-arabia-court-upholds-raif-badawis-sentence-ten-180323802.html#2Hv7AKo>

⁶ 'The threat of the application of the apostasy and blasphemy laws against any who criticize its application is an efficient weapon used to intimidate opponents, silence criticism, punish rivals, reject innovations and reform, and keep non-Muslim communities in their place' Freedom to Believe, Dr Patrick Sookhdeo, as quoted by The Barnabas Fund <http://barnabasfund.org/US/News/Archives/The-Application-of-the-Apostasy-Law-in-the-World-Today.html>

⁷ https://www.ifex.org/morocco/2013/07/16/student_imprisoned/

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