

United Nations Human Rights Council, 52nd Session
27 February to 31 March 2023
Item 3 – Interactive dialogue with the Special Rapporteur on
freedom of religion or belief
Speaker: Humanists UK representative: Laura Newlyn¹

We welcome the Special Rapporteur's report and support her statement that engagement with religion or belief stakeholders 'needs to be carried out in an inclusive manner that upholds non-discrimination'.²

The Human Rights Committee's General Comment 22 stipulates the terms 'religion' and 'belief' should be interpreted broadly, and that Article 18 of the ICCPR protects 'non-theistic and atheistic beliefs' as well as theistic ones.³ The Committee's General Comment 34 further states that prohibiting expression that displays a 'lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the Covenant'.⁴ Yet over 40% of UN member states have blasphemy laws on the books, including 13 where it is punishable by death.

In December Indonesia passed a new criminal code which expanded the scope of its 1965 blasphemy law, in contradiction with its own constitution.⁵ It also criminalises anyone who attempts to persuade a person to become 'a non-believer'.⁶ The Atheist Society of Kenya is due to appear before the High Court in the coming days to challenge its suspension as the first registered non-religious society following complaints from religious groups for exercising its rights to freedom of religion or belief and expression.⁷ Mubarak Bala, President of the Humanist Association of Nigeria, remains in prison, sentenced to 24 years for expressing his humanist views on Facebook.⁸

We ask the Special Rapporteur how she will work towards all member states repealing these laws and the release of those who have been convicted or detained under them.

¹ Humanists UK is the operating name of the British Humanist Association.

² Human Rights Council, 'Landscape of freedom of religion or belief', A/HRC/52/38, 30 January 2023, para 46.

³ Human Rights Committee, *General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion)*, CCPR/C/21/Rev.1/Add.4, 30 July 1993, <https://www.refworld.org/docid/453883fb22.html>, para 2.

⁴ Human Rights Committee, *General Comment 34*, July 2011. <https://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>, para 48.

⁵ United States Commission on International Religious Freedom, 'Policy update: blasphemy allegations in a polarised Indonesia', November 2019, <https://www.uscirf.gov/sites/default/files/2019%20Indonesia%20blasphemy.pdf>

⁶ Human Rights Watch, 'Indonesia: New Criminal Code Disastrous for Rights', 8 December 2022, <https://www.hrw.org/news/2022/12/08/indonesia-new-criminal-code-disastrous-rights>

⁷ Humanists International, 'Kenya: updates in case against Atheists in Kenya Society', 24 January 2023, <https://humanists.international/2023/01/kenya-updates-in-case-against-atheists-in-kenya-society/>

⁸ Humanists International, '1,000 days without Mubarak Bala', 23 January 2023, <https://humanists.international/2023/01/nigeria-1000-days-without-mubarak-bala/>