

ITALY

UN Human Rights Council

25th session – Item 9

Resolution L.41 – GC

Combating intolerance, negative stereotyping and stigmatization, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

EU General Comment

I have the honour to speak on behalf of the European Union.

The European Union is founded upon values of non-discrimination, tolerance and respect for human rights, including freedom of expression and freedom of thought, conscience and religion or belief. We remain committed to an active dialogue to overcome existing divergences and misinterpretations on these important issues. We see the resolution before us as a call to States to respond to acts of intolerance and discrimination with full respect for international human rights law.

The resolution 16/18 represented a landmark in the Human Rights Council's treatment of combating religious intolerance. It set to rest a decade of division, in favour of a consensual and cooperative approach. The key feature of resolution 16/18 is to call for concrete action by States to combat intolerance and other similar phenomena against persons based on their religion or belief.

The dilution of the emphasis on action by State, which must be our highest priority, remains one of the main concerns the European Union has with the resolution before us.

We would like to make in this regard the following comments. We believe that there should be a much stronger human rights focus to this resolution and the wider agenda. Such a human rights focus could be demonstrated by emphasizing the intrinsic link between freedom of religion or belief and freedom of opinion and expression. The freedom of expression is a powerful tool for combating religious hatred, discrimination and violence. Any **undue** restrictions on the freedom of expression may undermine efforts to combat intolerance.

We would also like to highlight the centrality of individuals as beneficiaries of human rights protection; the need for a more inclusive concept of diversity; the importance of a consistent use of "belief" alongside with "religion". It is also important to stress that no one may invoke cultural diversity or religion

traditions to infringe upon human rights guaranteed under international law, nor limit their scope.

We are concerned about the erosion of the focus on the domestic dimensions of intolerance, discrimination and violence manifested at local and national levels. It is the primary responsibility of States to counter these phenomena. We should never divert attention away from the responsibility of national and local authorities to counter religious intolerance and safeguard individual rights, particularly of those belonging to minority communities or groups.

We should not give credence to the idea that acts of hate and violence in one country can lead in themselves to tension between countries. It is indeed the EU's understanding that religious hatred is primarily a threat to individual freedoms at local and national levels. **We should never divert attention away from the responsibility of national and local authorities to counter religious intolerance and safeguard individual rights, nor give legitimacy to manipulation of such speech to stir up further intolerance, hatred and violence.**

Mr President,

We thank Pakistan as the Chair of the OIC for its engagement on the draft before us which was presented as a technical update to the previous resolution under the same title. **However**, this resolution should stay focused on ongoing activities and **operational** processes directly relevant to combating religious intolerance **on the basis of the promotion and protection of all human rights for all persons**. It should also refrain from prejudging the conclusions to be drawn from the information provided by States.

We stand by the consensus achieved by the Human Rights Council resolution 16/18, and will work hard to **uphold that framework**. But we will oppose attempts to undermine the consensus or detract from what must **be** the focus for all of us: taking concrete real-world efforts to combat intolerance in each of our countries. This is indeed the core of the values which our democracies are built **on** and to which we are strongly attached.

Thank you, Mr President.