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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 January 2023]

* Issued as received, in the language of submission only.

ID with the UN Special Reporter on Freedom of Religion and Belief: Religious Insults are not Considered as Freedom of Expression

According to the ICCPR Art. 18 (1): "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice [...]." Also, according to Article 20 (2) of the same Convention: "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law".

There are various UN resolutions adopted in the UN General Assembly, the UN Commission and the UN Human Rights Council on "insulting religions", including the ones discussed from 1999 to 2010.

In addition, the UN Special Reporters on freedom of religion and belief, freedom of expression, and contemporary forms of racism, have repeatedly expressed concerns over the consequences of "insulting religions" and have considered it as a threat to freedom of expression and freedom of religion.

We call on Your Excellency to pay special attention to the actions of a French magazine, Charlie Hebdo, who, has insulted the followers of various religions, including Islam, Christianity and Judaism with published materials recently and during the past decades, that "constitutes incitement to discrimination, hostility or violence."

Some of the insulting materials published in the magazine include the following:

- On December 20th 2015, Charlie Hebdo published a cartoon of the Virgin Mary, giving birth to Jesus, with the head of an animal. This magazine has repeatedly published insulting cartoons of the Pope Benedict 16th too.
- In March 2016, one year after the attack (at the magazine's office), the weekly featured a caricature of Yahweh with a Kalashnikov rifle. The Vatican and Jewish groups said they were offended, and the Associated Press censored images of the magazine cover.
- In 2006, the magazine republished the cartoon of Prophet Muhammad, which was published in a Danish magazine a year earlier. The Danish Magazine's move had previously caused killing of 250 people round the world. The following year, Charlie Hebdo once again published a cartoon from Prophet Muhammad, who was crying. In the interpretation of the cartoon, it wrote, it is very difficult to have a handful of fools as followers.
- In 2015, the magazine published cartoons of Prophet Mohammad for two times, with titles: "I am Charlie" and "100 lashes if you don't die of laughter" on the front page. The move faced negative reactions from Muslims.
- Recently, the magazine has been launching a sacrilegious international competition, publishing insulting caricatures of the Iranian leadership who is the religious authority of many Muslims in Iran and other countries.

Madam Special Rapporteur,

As an NGO, in consultative Status to the UN ECOSOC, with a 25 - year history of cooperation with the UN human rights mechanisms, we believe that the media should not ignite hatred and violence in the name of freedom of expression.

This is in accordance with the UN Human Rights Council Resolution 1/8, which has called on governments to protect religious freedom and take steps against discrimination, hatred, and offensive expressions through promotion of dialogue, education, and discussions.

Madam Special Rapporteur,

We urge Your Excellency to pay special attention to the publications of the magazine and condemn the incitement to discrimination, hostility or violence by the magazine. We believe that asking for compensatory and reform actions from this magazine, due to the abuse of the principle of freedom of expression, insulting the beliefs of millions of people around the world and incitement to discrimination, hostility is the least that should be demanded from the magazine.