

EUROPEAN HUMANIST FEDERATION - GENERAL ASSEMBLY,

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SPEECH ON UN HUMAN RIGHTS COUNCIL BY KEITH PORTEOUS WOOD

Given by Vera Pegna on his behalf

I am very sorry that other commitments prevent me from being with you in Athens today, and I hope that you have a good and constructive conference. Christian theologians like to claim that the achievements of ancient Greece – democracy and the foundations of science and the culture that we enjoy today – came about actually through the influence of Christianity. Nothing could be further from the truth. It was only through the questioning of the Enlightenment that the Greek gifts to the world were brought back to the forefront of our civilisation.

I want today, though, to talk about Human Rights, the essential bedrock of all civilisation and all secular democracies. And I want to talk about the particular and precious human right of free expression.

Alarm bells rang for me when I attended a session of the United Nations Human Rights Council in Geneva. To my dismay, it turned out not to be the High Temple of Human Rights that I had imagined. Indeed, some of the delegates sitting around the Council table are the agents of some of the world's worst abusers of Human Rights.

I shared my concerns briefly with those of you who attended EHF's impressive meeting in Brussels last month to commemorate the 60th Anniversary of the Universal Declaration of Human Rights.

Those of us in Europe should count our good fortune for being under the protection of the European Convention on Human Rights and having the European Court to enforce it. The majority of the world has no such protection.

But even in Europe, we have no grounds for complacency, and I will give just one example. Shockingly, freedom of religion is rapidly deteriorating in Russia, especially for Protestants, thanks to the near fusion between the State and the Orthodox Church.

But the scale and degree of Human Rights abuses in other parts of the world are far worse, and, generally, the UNHRC is their only protection. Unfortunately, the UNHRC is, in my opinion, less than effective. It could even be argued that in some cases it serves as a decoy to distract the world from examining major abuses.

Let's examine some of the problems.

- 1) To set a context, let's look briefly at the circumstances in which the UNHRC came into being, around two years ago. It was formed because its predecessor body, the UN *Commission* on Human Rights, had lost all credibility. Former UN Secretary General Kofi Annan let it off rather lightly by saying it had "become too selective and too political in its work". It was clearly hoped that the new Council's members would genuinely support, and be prepared to defend, the principles of the UDHR even-handedly and transparently. Unfortunately, that has not turned out to be the case.

- 2) The roots of the problem lie in the power balance within the UNHRC. There is not time here to go into the complications of how states get a vote and how long they can stay members before retiring. We need instead to look at the current *realpolitik* in the chamber.
- 1) I realise that I am about to lay myself open to charges of Western imperialism. In mitigation I would like to put on record that there are many people in Muslim countries and also many in Muslim communities or from a Muslim background in Europe who fully support Human Rights and freedom of expression; indeed many who have come to Europe to escape abuses of Human Rights and freedom of expression.
- 2) However, a majority on the present Human Rights Council are, in my opinion, energetically impeding freedom of expression, on occasions frustrating the exposure of Human Rights abuses and acting in a partial manner. The 14 countries on the UNHRC that are affiliated to the Organisation of the Islamic Conference (OIC) often ally themselves with sub-Saharan African countries and with Russia, China, Cuba and Sri Lanka to force through measure that are inimical to the concept of universal Human Rights.
- 3) My initial concerns about the UNHRC arose from its failure to protect freedom of expression. This applies particularly to an excessive focus on what is described as Islamophobia. I am convinced, for example, that the Danish cartoon crisis was manufactured (probably not in Europe), for political ends by Islamist leaders, and long after the original publication of the cartoons. I am not alone in this view and my statement to this effect at the Council of Europe drew no detractors. At least one respectable British website makes a well argued and well supported case that the incidence of Islamophobia is greatly exaggerated. The clear intention of the exaggeration is threefold: (a) to create a climate of victimhood (b) to create a climate of fear which reduces freedom of expression much lower than has been enjoyed in most of Europe in recent decades and (3) to distract attention from the examination of blatant Human Rights abuses by directing attention to Western countries by attacking them for the victimless offence of defamation of religion.
- 4) And the strategy works. The series of crises on freedom of expression such as the Rushdie affair, the Van Gogh murder, the pursuit of Hirsi Ali, the Danish cartoons, and now *Fitna* has resulted in self-censorship on a previously unimaginable scale. Governments weakly condemn the writers for “provocation” rather than those who threaten them, or worse. The UNHRC, driven by the voting bloc I’ve just referred to, passes motions calling for defamation of religion legislation throughout the world, a kind of dangerously undefined super blasphemy law – which will consign our hard-fought-for freedom of expression to oblivion.
- 5) Indeed, freedom of expression in the UNHRC itself is deteriorating. A motion was passed in March requiring the Special Rapporteur on Freedom of Expression to report in future on *abuses* of freedom of expression, rather than focus only on cases where freedom of

expression had been denied. Similarly, NGOs are finding it increasingly difficult to get their voices heard at the UNHRC. These increasing restrictions on NGOs seem to be applied more harshly to the few outspoken ones, of which I am pleased and proud to say one is your international umbrella body, IHEU. Our principal IHEU delegate in Geneva, Roy Brown – to whom we all owe an immense debt – has sometimes spent days on end in the chamber trying to make just one intervention which, even if he is successful, can be limited to just three minutes and then subjected to constant interruptions from those who do not wish any opposing voices to be heard.

- 6) You would imagine that the UNHRC would be the perfect place to explore and condemn the issue of the death penalty being imposed for apostasy or homosexual acts. And yet attempts to raise it are met with hostility. As far as I am aware, the only countries (a handful of them) for which these supposed “offences” remain as capital crimes, are all members of the Organisation of the Islamic Conference.
- 7) A further concern relates to the considerable and growing status being accorded in the UNHRC to the Cairo Declaration on Human Rights in Islam and the Arab Charter on Human Rights. The former explicitly mentions that its provisions are subject to Shariah law and the latter permits the execution of minors in certain circumstances, so both instruments fall short of the standards in the Universal Declaration of Human Rights (UDHR). It seems to me that regional charters and ideologically- or religious-based instruments deflect attention from whether activities fall short of the UDHR or the International Covenant on Civil and Political Rights ICCPR. Some might even suggest that this is their purpose.
- 8) An innovation of the new UNHRC was to be Universal Periodic Reviews (UPR). These were heralded as the key to making the UNHRC work where its predecessor had failed. The UPRs are a review of every country on a cyclical basis over several years, and every other country is open to make observations on those being reviewed. Amnesty International pleaded with countries to play the game by being open and even-handed.
- 9) The first round of reviews has taken place and the reverse has happened. Notorious Human Rights-abusing countries mounted vicious attacks on relatively compliant countries. On the other hand, countries with appalling Human Rights records have been the recipients of gentle reviews from countries presumably seeking a favourably biased review or some other advantage in return.

The Council has been in operation for only two years, and I can understand those who say that it is too early to form a judgment. Nevertheless, as I said before, this is itself a second attempt, and the new Council seems to be no better than its discredited predecessor. We

cannot, in my view, blame teething problems, one bad judgment from which we can learn in future, or a close vote which went the wrong way. If only we could.

The problems seem fundamental, and are reminiscent of the UN of the cold war era. You will remember Kofi Annan's description of the predecessor Commission, that it has "become too selective and too political in its work". Sadly, the description applies equally today.

I do not pretend to have a solution. And I am certainly not going to use the phrase "road map", but I do have some ideas. And they involve you.

First of all, we must fight to retain freedom of expression. I do acknowledge that some legitimate limitations can be provided for by law where necessary for respect of the rights or reputations of others, protection of national security or of public order, public health. Be on your guard if anyone tells you your freedom "must be used responsibly". Generally, they mean "do not say anything that I might find offensive". Freedom that our detractors tell us must be used "responsibly" is no freedom at all, and no one has the right not to be offended. So, let's renew our fight against threats to freedom of expression. Let's stand up for people who say the unsayable – provided it is not hate speech against individuals, of course. We should fight for their right to speak out, pointing out we do so in principle, regardless of whether or not we agree with what they say. *And let us never forget that Human Rights are for humans, not institutions or organisations.*

The other task I have for you is to raise awareness of the shocking situation at the UNHRC. It is astonishing that so few people—even Human Rights experts—know about that this ship in international waters has been hijacked.

It is the instinct for diplomats to seek to pour oil on troubled waters, especially where super powers and major trading blocs are involved. But the ineffectiveness (to put it most gently) of the UNHRC is a disaster for people whose Human Rights are being abused in the most dreadful way in so many countries. We, who by accident of birth, live in a place where Human Rights protections are recognised as important and generally observed, owe it to those living under tyrannies and dictatorships to try to help.

So, I suggest you talk to those in the media and also to politicians. Working with colleagues in IHEU we have managed to increase awareness around the world to some extent. I have raised the issue at a high level in the UK Government and intend to keep exerting as much pressure I can on politicians.

And if you watch the IHEU website we intend to post materials shortly that you will find helpful in making your representations.

In winding up I would exhort all of us of the need to be on our guard for restrictions to our Human Rights like never before. There is, for example, a climate of increasing restrictions on

Freedom of expression. Pressure from the Catholic Church has recently resulted in the curtailment of freedom of expression in Italy. It is not long since we only just managed to curtail another threat in the UK Parliament. Despite putting in a massive effort over five years, we won only by the narrowest of margins in Parliament - one vote.

Might I conclude on a happier note with some domestic news from the UK? Last week, an amendment to abolish the UK blasphemy law passed its final hurdle in Parliament and it is now consigned to the dustbin of history. I am proud to say that associates and staff at the National Secular Society played a major part in the demise, but we were just fortunate to have found an opportunity not available to our predecessors who fought for that abolition over the last 140 years. Above all, we wish to pay tribute to the deprivations of those who suffered as a result of this iniquitous law, including one of the Society's presidents who went to prison, and pay our respects to the many victims in past centuries who have been murdered by the state or the church in the name of blasphemy. Nor should we forget that, elsewhere in the world, blasphemy remains a capital offence.