

AP Exclusive: Muslim countries seek blasphemy ban

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GENEVA — Four years after cartoons of the prophet Muhammad set off violent protests across the [Muslim world](#), Islamic nations are mounting a campaign for an international treaty to protect religious symbols and beliefs from mockery — essentially a ban on blasphemy that would put them on a collision course with free speech laws in the West.

Documents obtained by The Associated Press show that Algeria and Pakistan have taken the lead in lobbying to eventually bring the proposal to a vote in the U.N. General Assembly.

If ratified in countries that enshrine freedom of expression as a fundamental right, such a treaty would require them to limit free speech if it risks seriously offending religious believers. The process, though, will take years and no showdown is imminent.

The proposal faces stiff resistance from Western countries, including the United States, which in the past has brushed aside other U.N. treaties, such as one on the protection of migrant workers.

Experts say the bid stands some chance of eventual success if Muslim countries persist. And whatever the outcome, the campaign risks reigniting tensions between Muslims and the West that President Barack Obama has pledged to heal, reviving fears of a "clash of civilizations."

Four years ago, a Danish newspaper published cartoons lampooning the prophet Muhammad, prompting angry mobs to attack Western embassies in Muslim countries, including Lebanon, [Iran](#) and Indonesia. In a countermovement, several European newspapers reprinted the images.

The countries that form the 56-member Organization of the Islamic Conference are now lobbying a little-known Geneva-based U.N. committee to agree that a treaty protecting religions is necessary.

The move would be a first step toward drafting an international protocol that would eventually be put before the General Assembly — a process that could take a decade or more.

The proposal may have some support in the General Assembly. For several years the Islamic Conference has successfully passed a nonbinding resolution at the General Assembly condemning "defamation of religions."

If the treaty was approved, any of the U.N.'s 192 member states that ratified it would be bound by its provisions. Other countries could face criticism for refusing to join.

Just last month, the Obama administration came out strongly against efforts by Islamic nations to bar the defamation of religions, saying the moves would restrict free speech.

"Some claim that the best way to protect the [freedom of religion](#) is to implement so-called anti-defamation policies that would restrict freedom of expression and the freedom of religion," [Secretary of State Hillary Rodham Clinton](#) said. "I strongly disagree."

But there are signs the U.S. is worried by the Islamic Conference campaign. Behind the scenes it has been lobbying hard to quash the proposal, dispatching a senior U.S. diplomat to Geneva last month for talks described as akin to trench warfare.

"The U.S. presence can be significant in determining the whole destiny of the process," said Lukas Machon, who represents the International Commission of Jurists at the U.N.

From a legal point of view, "the whole exercise is dangerous from A-Z because it's a departure from the practice and concept of human rights," Machon said. "It adds only restrictions."

In a letter obtained by the AP, [Pakistan](#) said insults against religion were on the increase.

The Islamic Conference "believes that the attack on sacredly held beliefs and the defamation of religions, religious symbols, personalities and dogmas impinge on the enjoyment of human rights of followers of those religions," the letter said. It was sent last month to members of the Ad Hoc Committee on Complementary Standards, a temporary committee created to consider a previous anti-racism treaty.

In a separate submission to the committee, Pakistan proposed extending the treaty against racism to require signatories to "prohibit by law the uttering of matters that are grossly abusive or insulting in relation to matters held sacred by any religion."

It's not clear who would decide what is considered grossly abusive, but each country's criminal courts would likely have initial jurisdiction over that decision, according to Marghoob Saleem Butt, a Pakistani diplomat in Geneva who confirmed the campaign's existence and has lobbied for the ban.

"There has to be a balance between freedom of expression and respect for others," Butt said in a telephone interview.

"Taking the symbol of a whole religion and portraying him as a terrorist," said Butt, referring to the Muhammad cartoons, "that is where we draw the line."

One American expert with more than 20 years experience of the U.N. human rights system said the treaty could have far-reaching implications.

"It would, in essence, advance a global blasphemy law," said Felice Gaer, a member of the U.S. Commission on International Religious Freedom. The independent, congressionally mandated panel issued a report last week warning that existing laws against blasphemy, including in Pakistan, "often have resulted in gross human rights violations."

In Egypt, blasphemy laws have been used to suppress dissidents, said Moataz el-Fegiery, executive director of the Cairo Institute for Human Rights Studies. Abdel Kareem Nabil, a blogger, was sentenced in February 2007 to four years in prison for insulting Islam and Egyptian President Hosni Mubarak.

He said reformists who reinterpret traditional Islamic texts have also become the target of blasphemy accusations.

More broadly, introducing laws to protect religions from criticism would weaken the whole notion of human rights, said Sweden's ambassador to the U.N. in Geneva, Hans Dahlgren.

"Religions as such do not have rights — it's people who have rights," he said, adding that the European Union, whose presidency Sweden currently holds, would oppose attempts to limit freedom of speech.

The treaty goes against the grain of recent efforts by Western and Muslim countries to find common ground on human rights.

Only last month a joint U.S.-Egyptian resolution on freedom of expression won unanimous support in the U.N. Human Rights Council, much to the surprise of seasoned observers. "We will engage, and we're going to keep engaging," said Michael Parmly, spokesman for the U.S. Mission in Geneva.

In a telephone interview Wednesday, the Ad Hoc Committee's chairman, Algerian Ambassador Idriss Jazairy, said concerns the treaty could stifle free speech have been "whipped up into a bugaboo."

Failure to agree on a treaty would boost extremists in the Arab world, said Jazairy, a former envoy to Washington now considered a key player in the U.N.'s human rights forum.

"If we keep hitting this glass wall and say there's nothing you can do about Islamophobia — you can do something about anti-Semitism but Islamophobia is out of bounds — you give an ideal platform for recruitment of suicide bombers," he said.

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