



CHURCH OF SCIENTOLOGY INTERNATIONAL
EUROPEAN OFFICE FOR PUBLIC AFFAIRS & HUMAN RIGHTS

**Submission to OSCE High-Level Conference on
Combating Discrimination and Promoting Mutual Respect and Understanding**

Plenary Session 6

**Addressing racist, xenophobic and discriminatory public discourse spread through,
inter alia, the media, Internet, satellite TV and textbooks, while respecting freedom
of expression**

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What the most optimum balance should be between freedom of expression, freedom of religion and the ethical responsibility of media has been a critical subject of discussion throughout society.

The legal limitations have been established fairly well, but the debate goes deeper than this when it comes to what are the ethical responsibilities of media when reporting about religion or belief. As there is no simple answer to where the balance lies, then a series of guidelines can be used which focuses the responsibilities of different parties.

Freedom of expression is a vital and fundamental human right. If this right is not guaranteed it then opens the door for other rights to be diminished. However, along with this factor comes the duty to use this right responsibly. The right to freedom of expression is not absolute. Nor is the right to freedom of religion. Human rights cannot be interpreted in isolation but must be viewed in integration so that all rights are recognized and respected.

Except in the extreme, we cannot and should not legislate against opinion or even careless or irresponsible statements or views that are opposing to one belief or another. However, there is the responsibility to report factually and without bias. As recognized by the International Federation of Journalists and in UNESCO's International Principles of Professional Ethics in Journalism, the media has a social responsibility to act ethically and in conformance with human rights. Under no circumstances is the promotion of biased information or viewpoints masking as journalism acceptable.

In order to facilitate the proper balancing between freedom of expression and freedom of religion, we endorse the Charter on Freedom of Expression and Journalistic Ethics in Relation to Respect for Religion or Belief created by the Institute on Religion and Public Policy and encourage the media to apply this voluntary Charter to ensure fair and tolerant portrayal of all religions.

This Charter was created by taking into account international, regional and national journalistic ethics codes and relevant documents articulating United Nations, Organization for Security and Cooperation in Europe, Council of Europe and UN standards. It is available on the Media Charter website <http://www.mediacharter.org> It attempts to strike an appropriate balance that preserves both the paramount principles of freedom of expression and freedom of religion or belief.

Statements that generate hate or bias towards groups or individuals should be scrupulously avoided and groups should not be stereotyped. In instances where reporting is materially false, the media should promptly grant corrections and a right of reply.

Freedom of religion or belief is also a fundamental right that must not be diminished or negated. If we are to live together and promote a tolerant society free of discrimination, then respect and understanding of another's belief must be an important part of the picture. Conversely, it is unacceptable that the response from members of any religion or group whose sensibilities have been offended is violent or physically threatening in any way.

With rights go responsibilities. In order to determine what is responsible we should also look at the intent behind and the effect created by an article or media piece.

United Nations

At its 24th meeting, on 30 June 2006, the United Nations Human Rights Council passed a resolution expressing deep concern over the increasing trend of incitement to religious hatred and defamation of religions as well as its recent manifestations.

The UN Rapporteurs on Freedom of Expression, Freedom of Religion and Against Racism have also embraced these sentiments, documenting the rise in religious discrimination and intolerance around the world. We are living in a tense global environment where misunderstandings can be ignited by peddlers of fear and bias that nourish xenophobia, religious demonization, racism and discrimination, leading to intolerance and violence targeting religious minorities.

Three United Nations Special Rapporteurs issued a statement on February 8th 2006 stating:

“Peaceful expression of opinions and ideas, either orally, through the press or other media, should always be tolerated. The press must enjoy large editorial freedom to promote a free flow of news and information, within and across national borders, thus providing an arena for debate and dialogue. Nevertheless, the use of stereotypes and labelling that insult deep-rooted religious feelings do not contribute to the creation of an environment conducive to constructive and peaceful dialogue among different communities.

The Special Rapporteurs recall that ... both rights [freedom of religion or belief and freedom of expression] should be equally respected, the exercise of the right to freedom of expression carries with it special duties and responsibilities. It requires good judgment, tolerance and a sense of responsibility.”

On 20 September 2006, the Special Rapporteurs on Freedom of Religion or Belief and Against Racism issued a report concerning incitement to racial and religious hatred and the promotion of tolerance. This report included a recommendation that the “Council should invite Governments, in the fight against racial and religious intolerance, to fully abide by their obligations concerning both freedom of expression and freedom of religion, as prescribed in the pertinent international instruments, and in particular articles 18, 19 and 20 of the International Covenant on Civil and Political Rights, in respect of their interrelation and complementarity”.

Council of Europe

In June 2006, the Council of Europe Parliamentary Assembly adopted Resolution 1510 (2006) Freedom of expression and respect for religious beliefs. Amongst other points the Resolution states that:

“Democratic society must...permit open debate on matters relating to religion and beliefs

States should support information and education about religion so as to develop better awareness of religions as well as a critical mind in its citizens.

Hate speech against any religious group is not compatible with the fundamental rights and freedoms guaranteed by the Convention and the case law of the Court.”

The Assembly also called upon “parliaments in member states to hold debates on freedom of expression and the respect for religious beliefs, and on members to report back to the Assembly about the results of these debates.”

It also “invite[d] media professionals and their professional organisations to discuss media ethics with regard to religious beliefs and sensitivities. The Assembly encourages the creation of press complaints bodies, media ombudspersons or other self-regulatory bodies, where such bodies do not yet exist, which should discuss possible remedies for offences to religious persuasions.”

Media may have the ‘right’ to print negative depictions of groups but in doing so they do not act responsibly in exercising this right when the intent is to harm or destroy and the depiction is based of false, biased or misleading information.

Governments also have an important role to play and a responsibility to encourage and promote tolerance and dialogue in society.

Minority religions

It should also be noted that minority religions have often been the subject of extremely negative depictions in media which are at least as offensive to their members as recent examples concerning Moslems and Christians. However, because they are a minority, in a media climate where minority religions are sometimes pejoratively characterized as ‘sects’, then there is no voice against these portrayals. In fact, such portrayals are often taken at face value without any critical evaluation whatsoever.

Such circumstances require media to be even more vigilant about the way in which they depict groups they are writing about.

Recommendations

Media organisations should establish more receptive complaints procedures and be more responsive to complaints made by representatives of religions. Critical appraisal of articles that are not factual, biased or little more than ‘hits’ on a religion should be made by ethical review boards within journalistic or media associations.

A voluntary code of conduct for the media would be a positive way forward. It would set standards to be followed that would apply to all religions, old and new, large and small, whilst maintaining freedom of expression. Media should support and apply the Charter on Freedom of Expression and Journalistic Ethics in Relation to Respect for Religion or Belief to ensure fair and tolerant portrayal of all religions.

Religious groups should make efforts to fully explain themselves and their actions to media representatives. Journalists and media representatives should take steps to encourage trust so that open lines of communication with religious organisations, especially minority religions that have been targeted, can be established.

Governments and politicians should take a more active role in promoting dialogue and education about all religious movements, large and small, and in establishing a social climate of tolerance and respect for one another.

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