



Tom Lantos Human Rights Commission Hearing

Blasphemy Laws and Censorship by States and Non-State Actors: Examining Global Threats to Freedom of Expression

July 14, 2016

2:00 PM

2322 Rayburn House Office Building

Opening Remarks as prepared for delivery

Good afternoon.

I join my distinguished colleague and Co-Chairman of the Tom Lantos Human Rights Commission, Rep. Joe Pitts, in welcoming all of you to today's hearing on blasphemy laws and censorship, and the threat they pose to freedom of expression around the world. I add my thanks to our distinguished witnesses for their work and their presence today. I am especially pleased to welcome back Ambassador Saperstein and Dr. Courtney Radsch, both of whom have appeared before this Commission on other occasions.

Article 19 of The Universal Declaration of Human Rights proclaims that "everyone has the right to freedom of opinion and expression." Yet today this freedom is under threat all around the world by governments and by non-state actors.

Authoritarianism is on the rise, as seen in the crackdown on civil society that is spreading across the globe. In many countries today, voicing dissent puts you at risk for government retaliation and harassment. It is possible to be imprisoned over tweets, as in the case of my friend Nabeel Rajab, a human rights activist in Bahrain, and now, once again, a prisoner of conscience. Overly broad anti-terrorism laws, like the one passed in Russia this week, limit free speech rights under the guise of national security interests. China continues to lock up democracy activists and censor the internet.

As authoritarianism has risen, respect for press freedom around the globe has declined steeply. Turkish authorities physically took over their country's largest daily newspaper earlier this year and installed their own board. Azerbaijan recently released famed journalist Khadija Ismayilova from prison due to international pressure, only to jail scores of other journalists when

they thought our backs were turned. Freedom House, with us here today, recently reported that in 2015 press freedom had declined to its lowest point in 12 years.

The violent actions of non-state actors are also eroding freedom of expression. Journalists are slain by the criminal and terrorist organizations on which they report -- and studies have found that 9 out of 10 these murders go unpunished. Extremists in Bangladesh are killing secular bloggers and writers, religious minorities, and academics. Around the world, environmental activists are assassinated for their efforts -- Honduras and Brazil are brazen examples. Global Witness reported 185 killings of land and environmental defenders in 2015, making it the worst year on record. If criminals and terrorists can silence just one voice with violence, they are able to chill the speech of countless others with fear.

Today's hearing includes a particular focus on an issue at the intersection of both government censorship and extremist violence -- blasphemy laws. These laws, which criminalize irreverence toward holy personages, religious artifacts, customs, or beliefs, are found throughout the world, not only in states governed by authoritarian regimes. According to the Pew Research Center, in 2012, nearly a quarter of the world's countries and territories had blasphemy laws or policies. The punishment for violating these laws ranges from fines to corporal punishment.

The Middle East and North Africa is the most notorious region for laws restricting blasphemy. But these laws also exist in Europe, Asia, and the Americas. The U.S. actually still has blasphemy laws on the books in some states, including my own state, Massachusetts, though the First Amendment prohibits their enforcement. In 1952, Justice Tom Clarke, writing for the Supreme Court in *Burstyn v. Wilson*, argued that "it is not the business of government in our nation to suppress real or imagined attacks upon a particular religious doctrine."

And it should not be the business of government in any nation. Governments pass blasphemy laws believing that their citizens, or even a religion itself, should be protected from offense. But these laws curtail the right to freedom of expression, and are ineffective at protecting the right to freedom of religion. In fact, research shows that these laws correlate to a rise in hostility, and are unevenly enforced. Cases are brought disproportionately against religious and ethnic minorities, and the laws themselves may serve to legitimize violence against these minorities by religious extremists.

Through the Tom Lantos Human Rights Commission's Defending Freedoms Project, both Congressman Pitts and I advocate for prisoners of conscience who are serving medieval-era punishments for violating blasphemy laws. Raif Badawi, a secular blogger in Saudi Arabia, was sentenced to 1,000 lashes and 10 years in prison for his writings, which authorities claimed "insulted Islam." Asia Bibi, a Christian woman in Pakistan, is facing a death sentence for insulting Islam during an argument with her co-workers over a glass of water. These two cases perfectly illustrate the dangers of blasphemy laws, how they encroach on freedom of expression, are used to persecute religious minorities, and provide justification for violence by extremists.

Unfortunately, much of the world disagrees with us on blasphemy laws. It is no doubt a fraught and sensitive topic to address. But here in the U.S., strong protections for freedom of

speech and freedom of religion co-exist. We know it is possible for each right to be exercised without infringing upon the other. We must continue to lead by example on this issue.

In the face of all these threats to freedom of expression, governments need to do more. Government authorities must abandon their intolerance for dissent, and cease their crackdown on civil society and the press. No country can achieve lasting stability with policies that violate the right to freedom of expression.

So I look forward to hearing our panelists today on the challenges posed by worldwide threats to freedom of expression, and their recommendations for what more Congress can do to preserve this fundamental right, which is a cornerstone of all others.

Thank you.