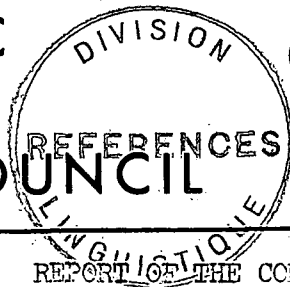




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REPORT OF THE COMMISSION ON HUMAN RIGHTS

Draft Declaration on the Elimination of All Forms of Religious
Intolerance

Note by the Secretary-General

Addendum

The comments received from the Governments of Burma, Czechoslovakia, Libya and Nigeria are as follows:

BURMA

[Original: English]

Burma agrees in principle to the draft articles as prepared by the Working Group for it is the policy of the Revolutionary Council to recognize the right of everyone freely to profess and practice his religion. Burma, however, reserves her position as to the actual contents of the draft articles. The said articles are six in number and deal with the freedom of thought, conscience and religion and being mere draft articles prepared by the Working Group, Burma would not commit herself to the actual wordings in these draft articles.

CZECHOSLOVAKIA

[Original: English]

The competent authorities of the Czechoslovak Socialist Republic have carefully studied the preliminary draft declaration on the Elimination of All Forms of Religious Intolerance, worked out by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, as well as the report of the Proceedings in the Commission for Human Rights with regard to this question.

The problems dealt with in the proposed Declaration are certainly very complicated, not only with regard to the great number of religious creeds, denominations and confessions presently existing in the world but also because due to the rapid development of science and technology in our epoch, there are living in the world millions of people who do not adhere to any religion and support the ideas of atheism.

Any international regulation of the problem of religious intolerance must therefore take this serious fact into account, if such regulation is expected to fulfil its mission. This applies with equal force to the prepared Declaration on the elimination of all forms of religious intolerance. The preliminary draft Declaration, however, does not take due regard to these facts and unjustly proceeds purely from the standpoint of those persons who are members of some religion or creed and fails to take into proper account the equal rights and equal status of atheists. Therefore, it will be necessary to alter the one-sided conception of the draft Declaration in the course of future negotiations on this subject in such a way as to afford the necessary protection not only to believing persons but also to atheists because only in such a way can this Declaration become a just international document which would constitute a contribution in the sphere of international protection of human rights and fundamental freedoms. Czechoslovakia expects that it will be possible in the interest of a fruitful international co-operation in the sphere of human rights to reach a universally acceptable agreement in this respect.

In her national regulation of the fundamental human rights, including the freedom of religion and confession, Czechoslovakia proceeds from a complete equality between believers in whatever creed, and non-believers. The basic Law of the land - the Constitution of 1960 - expressly stipulates in its Article 20 that all citizens shall have equal rights and equal duties; also the freedom of religion is guaranteed under the Constitution and everyone is free to adhere to any religion or be an atheist and every believer is free to worship or practice religion in any way as far as it is not in conflict with the law. Under Section 198 of the Czechoslovak Penal Law, any vituperation of groups of people because of their religion or because they are atheists is punishable under the law.

In Czechoslovakia, there exist seventeen churches and religious groups. All these churches and religious groups have their own property (church buildings, parishes and other housing or movable property) and are entitled to acquire income through ways and means customary in the given church. If the income of some churches is not large enough to cover their material expenses, the State grants them, pursuant to Act No. 218/1949 of the Collection of Laws, concerning Economic Maintenance of Churches and Religious Groups by the State, subsidies for the payment of such expenditures. Apart from that, the State pays salaries to the priests of all churches.

Education of the divines is offered in Czechoslovakia at six Faculties of Divinity: at the Roman Catholic Faculty of Divinity of Cyril and Methodius at Litoměřice, the Comenius Evangelical Faculty of Divinity in Prague, at the Czechoslovak Church Faculty of Divinity of Jan Hus in Prague, at the Roman Catholic Faculty of Divinity in Bratislava, at the Slovak Evangelic Faculty of Divinity in Bratislava and at the Russian Orthodox Faculty of Divinity at Presov.

Religious instruction is accessible to the second grade and up to the seventh grade pupils directly in schools upon explicit request made by the pupils' parents before the start of every respective school year.

All churches and religious groups have the right of publishing their own newspapers and magazines, prayer books and other religious literature. At the present time, there appear seventeen Church journals and newspapers in Czechoslovakia.

The Czech Catholic Charity takes care of old divines and other religious persons no longer capable of work, provides for them in its social institutions, and also runs a manufacture of devotional and religious articles. The Catholic Charity also owns shops where the Eucharist for the oblation and robes for the priests as well as church furnitures are being produced, according to Church prescriptions.

There are also several pilgrimage places in Czechoslovakia where believers travel regularly or for special festivals. For instance, in 1963, some 60,000 pilgrims visited the pilgrimage place of Velehrad.

Jewish believers strictly observe kosher of meat and wine. There exist special ritual restaurants and ritual baths in many towns.

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The ecumenical activities of the churches are concentrated in the Ecumenical Council of Churches which publishes its own paper, the "Kostnické jiskry". There also exists an ecumenical association called "Kostnická jednota" and various other associations, such as the Union of the Clergy of the Evangelical Church of Czech Brethren and similar groups of the Czechoslovak, Lutheran and Reformist churches.

Czechoslovak churches maintain extensive contacts with churches in other countries and all of them have regular contacts with their headquarters abroad. Many members of Czechoslovak churches are elected representatives of world church centres. They are first of all the World Council of Churches, the World Lutheran Association, World Presbyterian Alliance, World Baptist Union, World Conference of the Methodist Church, The World Reformist Union, International Council of Congregational Churches, World Association of the Free Confession etc. Representatives of the Czechoslovak Churches also participate in the work of the European sections of the said World Church centres and further European church organizations.

LIBYA

[Original: English]

The Constitution of Libya, a State in which Islam is the official religion, ensures full freedom of religion and belief. Article 21 of the Constitution, states: "Freedom of conscience shall ensure to Libyans and foreigners residing in its territory freedom of conscience and the right freely to practice religion so long as it is not a breach of public order and is not contrary to morality."

The Government of Libya believes that the draft Declaration proposed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, was more specific and more accurate, thus, it goes in line with the principles of the United Nations Charter and the Universal Declaration of Human Rights.

In respect with the report and the texts of the six articles as prepared by the working group, the Government of Libya feels that it was unnecessary to define the terms "religion" and "belief", since they were terms that were well understood in United Nations usage.

However, the Government of Libya suggests the following paragraph to be included separately or under Article VI of the texts prepared by the working group: "Everyone has the right to make pilgrimage to sites held in veneration, whether inside or outside his country, and every State shall grant freedom of access to these places."

Except for the word "abroad" in the square brackets mentioned in paragraph B of Article VI, which the Government of Libya suggests to be expelled, there is no objection for the use of the rest of the words in square brackets on which no agreement was reached by the working group. Furthermore, it is suggested that the following paragraph be included in any draft declaration proposed on this subject:

"No stipulation in these texts shall prejudice the right of countries embracing ecclesiastical faiths in prohibiting atheistic publications in their territories."

NIGERIA

[Original: English]

The Nigerian Government has no objection to the draft Declaration.
