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Chairman: Mrs. Mara RADIC (Yugoslavia).

AGENDA ITEM 54

Elimination of all forms of religious intolerance:

- (a) Draft Declaration on the Elimination of All Forms of Religious Intolerance (continued) (A/6660 and Corr.1, A/6703 and Corr.1, chap. XII, sect. V);
- (b) Draft International Convention on the Elimination of All Forms of Religious Intolerance (continued) (A/6660 and Corr.1, A/6703 and Corr.1, chap. XII, sect. V; A/C.3/L.1456 to 1458, A/C.3/L.1460)

• GENERAL DEBATE (continued)

1. Mr. ABOUL-NASR (United Arab Republic), exercising his right of reply, said that instead of examining the facts presented by his delegation at the 1486th meeting, the Israel representative had made a new propagandist speech in which she had spoken of the terrible persecutions she had suffered in her youth. Mr. Aboul-Nasr hoped that she would take thought of the fate of the Palestine refugees, over 1 million of whom were living in United Nations refugee camps on six cents a day. The sole point in the statement by the representative of the United Arab Republic which she had been at pains to deny was that regarding the link between nazism and Zionism. When the representative of the United Arab Republic had said in his earlier statement that there had been an agreement between nazism and Zionism, he had been referring not only to the ideological aspects but also, and especially, to the practice of those racist movements which had caused so much suffering during the past thirty or forty years. On the question of ideology, there was no gainsaying the fact that the basic assertion of the existence of a race which had not and should not assimilate with other races was common to nazism and Zionism alike. A clear distinction had to be made between the Jewish faith, as a religion which was respected and recognized by all, and Zionism as an ideology which ought to be condemned, as it had been done by so many leading Jewish thinkers. The "Jewish race", like the "German race", was a myth.

2. After dealing at length with Zionist philosophy, Mr. Aboul-Nasr pointed out that nazism was condemned on three counts—racism, addiction to violence, and expansionism. Those three traits were also characteristic of Zionism. Anti-Semitism, Zionism and nazism were different manifestations of a racism and a nationalism which had grown up in the same area and in the same intellectual climate. Nazism and Zionism had common ground although differing in their evaluation of "nationhood": for the latter, Jews in the aggregate constituted a nation with common national characteristics and a common national destiny. Both movements were characterized by the principles of racial self-segregation, racial exclusiveness and racial supremacy. The Zionist leaders had always believed and preached that the worst enemy of Zionism was not the anti-Semitism of the gentiles but Jewish assimilationism.

3. The use of violence and terror was also common to nazism and Zionism. The violence of the Zionist State had been mainly directed against the Arabs, but had also been turned against the British troops stationed in Palestine and against the United Nations Mediator, Count Bernadotte.

4. Territorial expansion was likewise an objective of Zionist policy, as it had been that of nazi policy. The permanent aim of Zionism had been and remained the formation of a State in the land of Israel, "Eretz Israel", completely free of Arabs. But that land included, according to the Zionists, the Kingdom of Jordan, southern Lebanon, southern and south-western Syria and part of the United Arab Republic. It was clear from various statements by David Ben-Gurion, former Prime Minister of Israel, that the Zionists regarded the land of Israel as being far more extensive than the present State of Israel. That expansionist policy was demonstrated by the fact that despite General Assembly resolution 2254 (ES-V) of 14 July 1967, and according to the report by Ambassador Thalmann, the Secretary-General's Personal Representative, Israel was taking every step to place under its sovereignty the sector of Jerusalem which had been outside its control before June 1967.^{1/}

5. Mr. BECK (Hungary), exercising his right of reply, said that the Israel delegation had raised a question of principle which had to be answered. It referred to a Jewish people who would remain so whatever the country in which its members lived, and had spoken as representative of all the Jews of the world. When the Hungarian nomads, over a thousand years ago, had established themselves in what was now Hungary, one

^{1/} See Official Records of the Security Council, Twenty-second Year, Supplement for July, August and September 1967, document S/8146.

of the tribes making up that people had been ethnically Turkish and Jewish by religion. Hungarian citizens of Jewish origin had participated most actively in the struggle to make Hungarian the national language instead of German, and, in general, had played a great role in culture and science and in the maintenance of national independence. For more than a century now, the Jews of Hungary who practised the Jewish religion had spoken no other language but Hungarian. His delegation held that no one had the right to speak on behalf of the general body of those who practised a particular religion or whose fathers had practised a particular religion. The Israel delegation was mistaken if it felt it had the right to speak on behalf of "Hungarian Jews" simply because the State of Israel had converted a certain denomination of Judaism into an official religion; the "Hungarian Jews" were represented at that meeting by the Hungarian delegation only.

6. Miss KOK (Netherlands) registered her delegation's general approval of the draft Convention, which it considered to be a well-balanced document (A/6660 and Corr.1). Her delegation felt that the Committee should try to unify and reconcile the various new points. With regard to the articles on measures of implementation, it suggested that the corresponding clauses of the International Convention on the Elimination of All Forms of Racial Discrimination be taken as a basis. Finally, her delegation supported the New Zealand proposal for the establishment of a working group (A/C.3/L.1458).

7. Mrs. UMA PANDEY (Nepal) said that her delegation was deeply committed to the principles of human rights and human dignity, and was convinced of the need to eliminate all forms of religious intolerance. Her country was the birthplace of Buddha, who had taught that violence should be answered with love, and that every form of intolerance should be renounced. Incidentally, article 14 of the Nepalese Constitution guaranteed religious freedom, and all religions had coexisted harmoniously in her country. However, her delegation felt that the modern State was a welfare State profoundly concerned with the well-being of its people, and that the State's capacity to legislate on social reforms should not be interpreted as inviting encroachment on the religious beliefs and practices of a particular community. Her delegation, she concluded, was in general agreement with the draft International Convention on the Elimination of All Forms of Religious Intolerance, but had reservations on certain clauses which it would express at the appropriate time.

8. Mr. S. F. DENNIS (Liberia) said that his delegation attached great importance to the draft Convention. The word "religion" had a very broad meaning. Essentially, it meant that which bound man to something greater than himself. From that standpoint there were no irreligious persons. Religion also included ethical codes which governed the conduct of all peoples. The Liberian Government prohibited all forms of discrimination based on religion or belief, and offered equal opportunities to all religions and beliefs without discrimination. Church and State were separate, and the Constitution guaranteed freedom of worship.

9. Discrimination and intolerance on grounds of religion had been practised universally and throughout

history, and his delegation therefore hoped that the Committee would give the draft Convention careful consideration. Meanwhile, it agreed with the delegations of the United Arab Republic and India regarding certain procedural matters. It had been the normal practice in the United Nations for a declaration to precede a convention, but that order seemed to have been reversed in the present case. As to the New Zealand proposal, his delegation had nothing against it. His delegation was still studying the twelve articles of the draft Convention, but would like to point out, for the moment, that it thought that the words "either" and "and" should be omitted from the English text of paragraph 1 (b) of article III. It also felt that paragraph 2 (h) of that article might be unacceptable as it stood, and that it should be amended as follows: "Freedom from compulsion to take an oath of a religious nature which is contradictory to one's religion or belief".

10. Mrs. MERCHANT (Canada) found it most gratifying that the Committee now had before it, after so many years, a draft International Convention on the Elimination of All Forms of Religious Intolerance. The idea of drafting that instrument dated back to the seventeenth session of the General Assembly, and the Commission on Human Rights had laboured long to produce it. However, she regretted that the Commission had not had time to adopt a formula for implementation articles, which would have greatly simplified the Third Committee's work, and that a draft declaration on the subject had not been adopted beforehand, although the prospect of the early adoption of a convention, which was an instrument of greater significance, made it possible for a declaration to be dispensed with.

11. The Committee, were it to follow its usual procedure with that type of instrument, could easily spend a month in reaching the stage of adoption and would have little time to discuss several other very important questions. Her delegation therefore warmly welcomed the New Zealand proposal to establish a working group, and was confident that the Third Committee would then carefully study the merits of the proposal and, after a general debate on the draft text, be able to express its views on the substantive articles, the implementation articles and the working group's terms of reference, would proceed to appoint that group, would examine the various amendments and sub-amendments in hand and would produce a text of implementation articles which the Committee would then study for reconciliation of any remaining differences and adoption. In that way, a good and well-drafted document would emerge which would stand as testimony to the Committee's genuine concern for the elimination of all forms of religious intolerance.

12. Mr. SPERDUTI (Italy) said that the protection of individual rights in the matter of religion and belief was already guaranteed by article 18 of the International Covenant on Civil and Political Rights adopted by the General Assembly at its twenty-first session. It was therefore relevant to ask what reason there might be for requiring an international convention on the same subject. In his opinion, the reply was to be found in the draft Convention itself, and particularly in the preamble to it. For those who professed them, religion and belief were a fundamental element of

their outlook on life, and freedom to practise and manifest them should be respected and guaranteed. Instances of religious intolerance still occurred in some parts of the world. The need should therefore be recognized for Governments, organizations and individuals to promote tolerance and respect for the rights in question.

13. Some of the criticisms directed against the draft, and in particular against article III, were not completely justified. It had been said that some of the provisions of that article were excessively detailed, whereas only general provisions should be included. Concern had also been expressed regarding paragraphs 2 (d), 2 (e) and 2 (g) of the article, which, as drafted, would, it was said, impose excessively heavy burdens on States. The Italian delegation was firmly convinced that the article was of capital importance; if the convention was confined to provisions of a general nature, its utility would not be very evident, since such provisions were already to be found in article 18 of the International Covenant on Civil and Political Rights. As to the obligations imposed by article III, he did not think they could affect the security, economy or other legitimate interests of States. Moreover, the French representative had already drawn attention to the safeguards embodied in articles XI and XII of the draft. His delegation considered that in preparing the draft the Commission on Human Rights had applied sound criteria with a view to producing a convention which would answer the needs of modern life and the aspirations of human beings, and that the draft was satisfactory and well balanced. There was no doubt, however, that some of its provisions could be improved, and that was the task of the Third Committee; but it was essential not to detract in any basic way from the draft's balance and clarity.

14. As to measures of implementation, he was in principle favourable to the initiative taken by the delegations which had submitted the proposals contained in documents A/C.3/L.1456 and A/C.3/L.1457. The idea of taking as a model the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocol thereto seemed satisfactory to him, but consideration would have to be given to the question whether the model provided by the International Convention on the Elimination of All Forms of Racial Discrimination did not better answer the requirements of the draft. His delegation also approved the New Zealand draft resolution (A/C.3/L.1458), although the utility of that proposal could be better assessed as the discussion proceeded.

15. Mrs. KUME (Japan) said that, although the Commission on Human Rights had been unable to complete its work on the draft Convention, the text of its preamble and the first twelve articles could serve as a basis for the work of the Third Committee. The question arose whether it would not be better to refer the draft back to the Commission on Human Rights so that it could study the implementation clauses and the final clauses; but if the Third Committee decided to discuss the subject at the present session, her delegation would raise no objection.

16. Japan had a history of religious persecutions in the feudal period, but even then the Japanese people,

though itself very religious, had displayed indifference to the beliefs professed by other people. With the Meiji Revolution, discrimination on religious grounds had disappeared, and today there was full freedom of religion guaranteed by the Constitution, as well as complete tolerance. The purposes and principles of the draft Convention were therefore in harmony with Japanese legislation, and her delegation was prepared to give the draft its general support. Nevertheless, some of the detailed provisions could be improved and clarified. Thus, for example, article VI referred specifically to anti-Semitism, but it would be better not to mention any particular kind of religious discrimination, following in that respect the example of the International Convention on the Elimination of All Forms of Racial Discrimination. With reference to article IX, she said that in her opinion it was inappropriate to allude to incitement to hatred, since the word "hatred" did not express an objective notion. As to the Good Offices and Conciliation Committee proposed in article XIV, she considered that it was not desirable to establish new machinery for dealing with that matter, since it came under the International Covenants on Human Rights. She had no objection, on the other hand, to the establishment of a working group; and she therefore supported the draft resolution submitted by New Zealand.

17. Mr. BABAA (Libya) said that his country attached great importance to the elimination of all forms of religious intolerance, and considered that the time had come to take action against all discrimination based on race or religion. In Libya there was no law which had the effect of creating any kind of racial prejudice or religious intolerance, and full freedom of religion and belief was guaranteed by the Constitution. As the representative of Haiti had pointed out at the 1486th meeting, the history of mankind was full of wars of religion; one had only to recall the horrible persecution that had taken place during the Crusades and the Inquisition to realize the great suffering produced by religious intolerance. He supported the statements made on the subject of the draft Declaration by the representatives of the United Arab Republic, India, the Soviet Union and Liberia, and he added that it had always been United Nations practice to adopt a declaration first and a convention later. The Libyan delegation had raised that question at the forty-second session of the Economic and Social Council, and had been given the explanation that the Commission on Human Rights had decided to give priority to the convention because it wished to complete it before 1968, which was International Year for Human Rights. However that might be, his delegation believed that the Third Committee should consider both the draft Declaration and the draft Convention; and, if it adopted the New Zealand proposal, he suggested that it should ask the working group to prepare a draft Declaration while the Committee continued its discussion of the draft Convention. As to the latter, he regarded the preamble and twelve articles as acceptable in general, though the text could be improved and clarified. Article VI should not mention any particular form of religious intolerance. It had been his delegation's understanding that the aim was to draw up an international instrument for the future, without reference to past evils. Unfortunately, ar-

ticle VI mentioned one of the "isms" of the past. He was not against condemning anti-Semitism; on the contrary, he condemned the Nazi crimes against the Jews and against all mankind. It was understandable that those who had suffered from Nazism should wish that doctrine to be mentioned and condemned in the draft. The Jews were entitled to ask that anti-Semitism should be condemned; and the Africans were entitled to ask that reference should be made to apartheid, because they knew that that policy was openly supported by the South African Church. It was therefore natural that Arabs and Moslems would like reference to be made to Zionism. The Libyan delegation considered that all those "isms" were very dangerous. It had therefore submitted on an earlier occasion the amendment appearing in document A/6660 and Corr.1.

18. Judaism was a universal religion not confined to any specific people or race. It was the Zionist movement that had sought and was still seeking to create barriers between religions and to use them as a vehicle for the realization of its expansionist aims. In fact, those who had invented anti-Semitism were the ones who had permitted the nazi régime to flourish; they had never bothered to oppose nazism until its expansionism had become a direct threat to their own interests and existence. It was a well-known fact that when anti-Semitism had arisen in Europe, Jews had found refuge in the Arab world; anti-Semitism was a European phenomenon unknown among the Arabs and Moslems and in the African and Asian countries. Today, there was a new anti-Semitism in Israel, and religious discrimination was practised against Christians, Moslems and even Middle-Eastern Jews; while the Zionists were demanding complete political, cultural, economic and religious freedom for all Jews everywhere, they were denying those very freedoms to the Arabs under their control.

19. There were similarities between nazism and Zionism; both preached violence, racism, expansionism and aggressiveness. He quoted Arnold Toynbee to the effect that the Jews had been the chief sufferers from a spirit which they themselves had originally kindled, and instead of learning from their own experience, they had done to others, the Arabs, what had been done to them by the nazis. There was, however, a difference between Zionism and other "isms". While apartheid and fascist leaders believed that so-called natives and their masters could live together in one territory, the Zionists maintained that the Arab natives should be systematically expelled from Palestine. It was astonishing to observe the relationship between nazism, apartheid and Zionism. The victims of the Nazis had become persecutors and slaughterers in Palestine. Most of the Zionist leaders had come from South Africa and were therefore experts on apartheid. Libya was against Zionism not because it was anti-Semitic, but simply because it was anti-colonialist. The Zionists stressed the term "anti-Semitism" in their campaign against some countries which was aimed at removing restrictions to emigration to Israel. They thereby hoped to bring in millions of Jews from the Soviet Union, South America and other parts of the world in order to strengthen their potential. At the previous meeting, the delegation of Israel had stated that all Jews were Zionists. That was not true. In the United States, to cite an example close at

hand, there were Jewish organizations which were anti-Zionist, such as the American Council for Judaism.

20. As to article IX, his delegation did not consider it very clear. It should be redrafted so as to urge States to condemn any organization or propaganda based on the principle of the superiority of one religion.

21. Mrs. SEKANINOVA-CAKARTOVA (Czechoslovakia) noted that a draft Convention on the Elimination of All Forms of Religious Intolerance could play a certain positive role on the eradication of such intolerance in the parts of the world where it still existed, and she recalled that her delegation had voted for General Assembly resolution 1781 (XVII) which had called for the preparation of such a draft Convention. Accordingly, she felt that the Commission on Human Rights should have presented a complete draft, preceded by a declaration, in keeping with the usual practice in the United Nations.

22. In general, she thought that the Convention must reflect certain basic principles if it were to be truly objective and international. First, in a document on the question of tolerance in the sphere of religion and belief, it was absolutely necessary to avoid attributing a privileged place to religion above other beliefs. It was indispensable to stipulate equality of rights for all, irrespective of religious or atheistic belief, irrespective of membership or non-membership in one or another church and irrespective of whether one lived in a religious or atheistic community. It was also mandatory that the draft Convention—while it protected national security and friendly relations between nations and safeguarded public safety, order, health and morals, as well as the general welfare—should exclude also any abuse of religion for aims incompatible with national interests and any interference of churches into the affairs of State. She stressed also of paramount importance that the Convention fully respect the differences that existed in economic and social structures as well as in the legal systems of various countries.

23. Speaking about the situation in her own country, she stated that freedom of confession was fully guaranteed and that everyone had the right to profess any religious faith, or to be without religious conviction. That freedom was guaranteed in law as well as in practice. That situation was in no contrast with the principle that in Czechoslovakia, a socialist country of ancient culture and modern civilization, education and the development of society was based on a scientific world outlook.

24. As to the draft itself, it suffered from many serious defects that jeopardized its acceptability to all delegations unless they were duly corrected.

25. In the first place, equal treatment had not been accorded to theistic, non-theistic and atheistic convictions, and, instead, religious beliefs had been given preferential consideration. In laying down the obligations of States to ensure freedom of religion, the draft failed to take into account the differing economic, social and legal systems existing in various countries, particularly in the case of article III, which inevitably would have to be amended.

26. The draft was also plagued by excessive detail, which was particularly obvious in the same article III and in article IV, which should be redrafted in clearer but more general terms.

27. The reference to anti-Semitism in article VI was completely incorrect, factually and logically; it was enough to recall that the motives for the persecution of the Jewish people by the Nazis were unrelated to religious consideration, but was rather based on racial and political criteria falling within the broad criminal concept of Nazi policy and practice directed against peoples who did not belong to the Herrenvolk. Furthermore, the inclusion of the reference to anti-Semitism was motivated by political considerations. The document prepared under the aegis of the United Nations must avoid offering any opportunity that it might be misused for silencing opposition to the aggressive policy pursued by the ruling circles of Israel in disregard of the United Nations Charter and as a pretext for interference in the internal affairs of States. While her delegation would have preferred to avoid including any examples, she felt that under the circumstances the Libyan amendment deserved serious examination.

28. Articles VII and VIII were to be substantially changed since in their present formulation all that they did was to repeat obligations of States mentioned in previous articles.

29. With regard to the establishment of a working group proposed in the draft resolution submitted by New Zealand, she said that she did not consider it appropriate since the matters referred to in the draft resolution were not so much drafting problems—in which case the establishment of such a group would have been justified—but problems of substance, and it was for the Committee as a whole to discuss the instrument so that all delegations had an opportunity to express their opinion.

30. Dame Mabel MILLER (Australia) strongly supported the New Zealand draft resolution, because she believed that a working group would greatly facilitate the task of the Committee, whose programme was already overloaded. As to the apprehensions that had been expressed concerning the possibility that the working group might succeed in imposing its opinions on the Committee or that its establishment might prejudice the right of delegations to participate in the final drafting, she felt that they had no basis and could easily be laid to rest by ensuring that the composition of the working group was governed by the principle of equitable geographical distribution and by telling its members to be guided in their work by the opinions expressed in the general discussion.

31. The working group should be as small as possible; equitable geographical representation could be achieved in a group of under twenty members.

32. Mr. VERMEYLEN (Belgium) supported the draft Convention before the Committee and the New Zealand

proposal, which, he thought, had been misunderstood, since its purpose was not to deprive any delegation of its rights but to create a working group to improve the wording of the instrument so that it might be adopted unanimously. In any case, his delegation could not support the suggestion that the problems involved should be studied by separate regional groups, since it could not be accepted that there were different eastern and western positions on the subject.

33. With regard to the criticism of the draft Convention that its articles took into account only certain religions which claimed universality or which were organized on an international basis, he pointed out that while that was not the case with all religions or all churches, the fact that it was true of some of them was enough to justify the taking of measures to protect them. There was a greater danger to freedom of conscience from religions or convictions limited to a given State than from those whose scale was universal.

34. The only aspect of the instrument that might legitimately give rise to controversy was that relating to the right to proselytize, whose exercise might sometimes be regarded as excessive, although it was impossible to imagine religious freedom without a certain degree of proselytization. If freedom of religion was accepted, freedom of propaganda must also be accepted. Consequently, he could not agree with the USSR representative's equation of religious with anti-religious propaganda, since that would nullify the very purpose of the Convention.

35. He emphasized the need to adopt the draft Convention at the present session, and with a view to broadening its base of agreement, he appealed to the delegation of Israel not to press its point of view concerning the reference to anti-Semitism, which might be regarded as too national or limited in scope.

36. Finally, he asked that every possible effort should be made to enable the working group to meet as soon as possible.

37. Mr. TEKLE (Ethiopia) expressed his satisfaction at the fact that human conscience was at last prepared to do away with the atrocious disease of religious intolerance, and pointed out that in Ethiopia freedom of conscience for everyone was not only deeply rooted in the country's tradition but was also guaranteed by the law and the Constitution, without any limitations other than those necessary to preserve public order and morality, and to oppose the use of that right for political ends.

38. The draft Convention seemed acceptable in its general lines, but he would have preferred to have discussed and adopted the relevant Declaration first.

The meeting rose at 5.40 p.m.