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COMMISSION ON HUMAN RIGHTS

Thirty-sixth session

Agenda item 18

DRAFT DECLARATION ON THE ELIMINATION OF ALL FORMS
OF INTOLERANCE AND OF DISCRIMINATION BASED ON
RELIGION OR BELIEF

Extracts from the Final Report of the Meeting of Experts on the
Place of Human Rights in Cultural and Religious Traditions
organized by the United Nations Educational, Scientific and
Cultural Organization (Bangkok, 3 to 7 December 1979) communicated
by UNESCO in accordance with resolution 20 (XXXV) of the
Commission on Human Rights

IV. Discussion of Agenda item 5: Examination of the draft Declaration on the
Elimination of All Forms of Religious Intolerance

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118. In view of the very short time available to examine this point, it was agreed that the interventions would mainly cover questions of religious intolerance as UNESCO had been requested by resolution 20 (XXXV) of the United Nations Commission of Human Rights, and particularly the two characteristics which occur most often in this intolerance, namely between believers of different creeds and between followers and believers of different religions as well as non-believers.

119. A number of speakers mentioned, from their point of view as experts and independent scientists, their concern regarding paragraph 4 of Article I of the draft Declaration, approved by the Commission of Human Rights at its last session, especially as far as restrictions on religious liberty under the pretext of security or public order, health, morals or fundamental rights and liberties of their fellow men were concerned.

120. In this respect, one of the experts recalled Article 29 of the Universal Declaration of Human Rights which could have been more advantageously drafted regarding the legal conditions which could be imposed on religious liberty.

121. One speaker mentioned that, furthermore, conscientious objection as a reason for refusal to perform military service, that was a part of the Santa Clara Declaration, could not constitute a form of religious intolerance in the strictest sense of the term.

122. Another participant underlined two points which seemed extremely important to him and which, consequently, should appear in any text concerning religious intolerance; on the one hand, the condemnation of incitation to religious hate and contempt and, on the other hand, the right to use the sacred texts of a religion as a teaching medium.

123. Regarding the first point, a speaker recalled that the term "incitation to hate and contempt" had already been used in other international instruments.

124. He also emphasized that the language used in international texts on human rights originated from specific cultural and religious sources but did not represent, however, the necessary cultural plurality for this sort of instrument.

125. The following were mentioned as being some of the roots which form the basis of all religious intolerance:

- the symbiosis of a religion in a given society;
- the way in which religious proselytism is implemented and in particular the means employed for its implementation;
- the privileged status that can be given to a church in any particular country.

126. Lastly, he proposed to retain intolerance and religious liberties, as well as the role of cultural and religious traditions, as much as a means of promotion of human rights as of basic themes for reflection for UNESCO and, in addition, research of freedom of speech with regard to the political, economic and social consequences of religious conviction.

127. During their interventions, many speakers expressed the wish that the Commission of Human Rights would rapidly advance in the process of adopting the draft Declaration in question, and made numerous suggestions and proposals concerning the activities which follow.

V. SUGGESTIONS AND PROPOSALS

128. Participants made several suggestions and proposals for research during the discussion of various agenda items. It was recommended by the group that all these suggestions and proposals be listed in the Final Report and that UNESCO be requested to consider them on merit and in terms of its competence and jurisdiction. Participants, however, remarked that they would welcome UNESCO's initiative in implementing any of these proposals and suggestions.

(a) Research proposals

129. In order to clarify the role which religious and cultural traditions could play in the promotion of human rights, the group recommends that the following studies be carried out as follow-up activities to the Bangkok meeting.

130. These studies should include not only highly organized religion but also other religious traditions and communities, such as animism in Africa and new independent churches in developing countries.

- (i) Inventory of socio-political interventions by the churches during the last 30 years, as well as their forms of action in favour of human rights (e.g. Sundays of Peace, etc.).
 - (ii) Survey on the observation (or not) of the principle of religious liberty in the different countries (laws and practices).
 - (iii) Survey on the application of human rights in the internal functioning of the church.
 - (iv) Research on new rights (or the rights of the more powerless people): migrant workers, penitential systems, rights to culture, etc. One can especially benefit from the experience of the social and diaconal institutions of the churches.
 - (v) Study of positions of religions and churches and of the different declarations regarding human rights. If these positions are negative, survey about the reasons for this non-acceptance. These reasons might be merely a question of different cultural languages.
 - (vi) Study of the impact of missionary activities on the observance of human rights in the receiving countries, especially in the developing countries.
- (b) Action for conscientization and education

131. In order to promote human rights the participants of this meeting recommend the following action.

- (i) UNESCO should urge:
 - all countries to accept the Universal Declaration of Human Rights as the first moral principle binding on all human beings, irrespective of their religious beliefs;
 - all major religions of the world to concentrate their efforts to conscientize their own religious followers towards the implementation of human rights in their church or sect.
- (ii) UNESCO should intensify the teaching of human rights. More specifically:
 - the concept of human rights should be included in the curriculum from primary school upward in order that children from the start of their cognitive formation may have universal norms of society to help them to live as responsible citizens of the world;
 - professors of religion and even other professors should receive precise training on human rights;
 - children, whether or not they receive religious instruction, should receive specific lessons on human rights;
 - religions should strive to make known human rights in their totality by speaking about them, by disseminating the texts on them, by organizing around 10 December (Human Rights Day) every year;
 - the main concept of human rights should be included in religious teaching.

(iii) UNESCO should establish a UNESCO prize for the best work in the field of religion and human rights.

(c) Establishment of institutes for human rights teaching and research

132. This meeting recommends that institutes of the following nature should be established:

(i) An international research institute for human rights and religion devoted to developing comparative studies and research on the place of human rights in religion and the role of religions in the promotion of them.

(ii) Regional institutes on human rights with a view to developing research and teaching in the field of human rights, especially at university level.

(d) Appeal to religious organizations

133. (i) This UNESCO meeting appeals to all the religious leaders and communities of the world to make use of their resources, particularly by their means of communication and education to further disarmament and the development of poor countries.

(ii) This meeting appeals to all the religious people of the world to pray together for the recovery and establishment of human rights in accordance with their own religious traditions on 3 January and 23 March, dates of the coming into force of the International Covenants of Human Rights, and on 10 December, date of the Proclamation of the Universal Declaration of Human Rights.

(e) Appeal to non-governmental organizations

134. The meeting called on interested international non-governmental organizations - whose assistance should be solicited more often - to increase the aid given for the realization of the ideals contained in the Universal Declaration of Human Rights, in particular in the field of religious freedom and freedom of opinion according to Article 29.