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CIVIL AND POLITICAL RIGHTS: RELIGIOUS INTOLERANCE

Albania*, Argentina, Australia*, Austria, Belarus*, Belgium*, Botswana, Bulgaria*, Cameroon*, Canada, Chile, Costa Rica*, Croatia*, Cuba, Cyprus*, Czech Republic, Denmark*, Finland*, France, Germany, Greece*, Guatemala, Hungary*, Iceland*, Ireland, Israel*, Italy, Japan, Latvia, Liechtenstein*, Lithuania*, Luxembourg, Netherlands*, New Zealand*, Norway, Peru, Poland, Portugal*, Romania, Slovakia*, Slovenia*, South Africa, Spain*, Sweden*, Switzerland*, Tunisia, Ukraine*, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela: draft resolution

1999/... Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

The Commission on Human Rights,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling also General Assembly resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling further article 18 of the International Covenant on Civil and Political Rights, article 18 of the Universal Declaration of Human Rights and other relevant international provisions,

Reaffirming the call by the World Conference on Human Rights upon all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,

Alarmed that serious incidents of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned at the increase in violence and discrimination against religious minorities, including restrictive legislation and arbitrary application of legislative and other measures,

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound, and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others,

1. Welcomes the report of the Special Rapporteur on religious intolerance (E/CN.4/1999/58 and Add.1-2);

2. Condemns all forms of intolerance and of discrimination based on religion or belief;

3. Encourages the efforts made by the United Nations High Commissioner for Human Rights to coordinate in the field of human rights the activities of relevant United Nations organs, bodies, and mechanisms dealing with all forms of intolerance and of discrimination based on religion or belief;

4. Urges States:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without discrimination, inter alia by the provision of effective remedies in cases where the right to freedom of religion or belief, including the freedom to change one's religion or belief, is violated;

(b) To ensure, in particular, that no one within their jurisdiction is deprived of the right to life or the right to liberty and security of person because of religion or belief, or is subjected to torture or arbitrary arrest or detention on that account;

(c) In conformity with international standards of human rights, to take all necessary action to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, with particular regard to religious minorities, and also including practices which violate the human rights of women and discriminate against women;

(d) To recognize the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes;

(e) To ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate on the grounds of religion or belief;

(f) To exert utmost efforts, in accordance with their national legislation and in conformity with international human rights standards, to ensure that religious places, sites and shrines are fully respected and protected;

(g) To promote and encourage, through education and other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. Emphasizes that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

6. Encourages the continuing efforts of the Special Rapporteur to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

7. Invites the Special Rapporteur to contribute effectively to the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held in 2001 by forwarding to the High Commissioner his recommendations on religious intolerance which have a bearing on the World Conference;

8. Stresses the need for the Special Rapporteur to apply a gender perspective, inter alia through the identification of gender-specific abuses, in the reporting process, including in information collection and in recommendations;

9. Calls upon all Governments to cooperate fully with the Special Rapporteur on religious intolerance, to respond favourably to requests from the Special Rapporteur to visit their countries and to give serious consideration to inviting the Special Rapporteur to visit so as to enable him to fulfil his mandate even more effectively;

10. Welcomes the work of the Special Rapporteur and reiterates the need for him to be able to respond effectively to credible and reliable information that comes before him, and invites him to continue to seek the views and comments of Governments concerned in the elaboration of his report, as well as to continue to carry out his work with discretion, objectivity and independence;

11. Notes the request of the Special Rapporteur to change his title from Special Rapporteur on religious intolerance to Special Rapporteur on freedom of religion or belief, and decides to consider, at its fifty-sixth session, changing the title;

12. Recognizes that the exercise of tolerance and non-discrimination by all actors in society is necessary for the full realization of the aims of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;

13. Welcomes and encourages the continuing efforts of non-governmental organizations and religious bodies and groups to promote the implementation of the Declaration;

14. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to continue the widest possible dissemination of the text of the Declaration, in as many different languages as possible, by United Nations information centres, as well as by other interested bodies;

15. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur to enable him to carry out his mandate, to submit an interim report to the General Assembly at its fifty-fourth session and to report to the Commission at its fifty-sixth session;

16. Decides to continue its consideration of the question at its fifty-sixth session under the same agenda item.
