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COMMISSION ON HUMAN RIGHTS  
Fifty-second session  
Agenda item 18

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

Andorra\*, Australia, Austria, Belgium\*, Bulgaria, Canada,  
Chile, Côte d'Ivoire, Czech Republic\*, Denmark,  
El Salvador, Equatorial Guinea\*, Finland\*, France,  
Germany, Greece\*, Honduras\*, Hungary, Iceland\*, Ireland\*,  
Israel\*, Italy, Latvia\*, Liechtenstein\*, Luxembourg\*,  
Madagascar, Norway\*, Poland\*, Portugal\*, Republic of  
Korea, South Africa\*, Spain\*, Sweden\*, Switzerland\*,  
Tunisia\*, Ukraine, United Kingdom of Great Britain and  
Northern Ireland, United States of America and Venezuela:  
revised draft resolution

1996/... 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,

Recognizing that these rights derive from the inherent dignity of the human person,

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

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,

Recalling article 18 of the International Covenant on Civil and Political Rights,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations,

Recalling 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,

Taking note of General Assembly resolution 50/183 of 22 December 1995, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration and requested the Special Rapporteur on the question of religious intolerance to submit an interim report to the Assembly at its fifty-first session,

Reaffirming the call of the World Conference on Human Rights for 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,

Recalling that the World Conference on Human Rights reaffirmed the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights and international law, and that the universal nature of these rights and freedoms is beyond question.

Noting with concern measures and practices in a number of countries that may foster intolerance, including religious intolerance, in society,

Bearing in mind the need for all Governments to cooperate with the Special Rapporteur on religious intolerance to enable him to carry out his

mandate fully and taking note in this regard of the importance attached by the Special Rapporteur to furthering dialogue with Governments, inter alia through visits made in situ,

Welcoming in this context the fact that a number of Governments have facilitated visits by the Special Rapporteur,

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief,

Conscious of the importance of education in ensuring tolerance of religion and belief,

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

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and security of person, the right to freedom of movement and the right to freedom of opinion and expression,

1. Reaffirms that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. Takes note of the report of the Special Rapporteur on the question of religious intolerance (E/CN.4/1996/95 and Add.1 and 2);

3. Notes with grave concern the continuing instances of hatred and intolerance including acts of violence based upon religious intolerance, as identified by the Special Rapporteur, which threaten all human rights and fundamental freedoms;

4. Condemns all such acts motivated by religious intolerance in all its forms, including practices which violate the human rights of women and discriminate against women;

5. Urges States to ensure that their constitutional and legal systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without discrimination, including the provision of effective remedies in cases where the right to freedom of religion or belief is violated;

6. Also urges States to ensure, in particular, that no one within their jurisdiction is, because of their religion or belief, deprived of the right to life or the right to liberty and security of person, or is subjected to torture or arbitrary arrest or detention;

7. Further urges all States, in conformity with international instruments of human rights, to take all necessary measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance, and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief;

8. Calls upon States to ensure that their legislation, including legislation relating to religious minorities and to tolerance and non-discrimination, does not have the effect of fostering intolerance in society;

9. 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;

10. Urges States 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 against persons professing other religions or beliefs;

11. Calls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

12. Expresses its grave concern at attacks upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert their utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

13. 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 ensure that appropriate measures are taken to this

end, including the dissemination, as a matter of high priority, of the text of the Declaration by United Nations information centres, as well as by other interested bodies;

14. Encourages the continued efforts on the part 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;

15. Stresses the need for the Special Rapporteur to apply a gender perspective in the reporting process, including in information collection and in recommendations;

16. Invites the Special Rapporteur, within the terms of his mandate and in the context of recommending remedial measures, to take into account the experience of various States as to which measures are most effective in promoting freedom of religion and belief and countering all forms of intolerance;

17. Encourages Governments to cooperate with the Special Rapporteur so as to enable him to fulfil his mandate even more effectively, inter alia by responding to requests for views and comments and by giving serious consideration to inviting him to visit their countries;

18. Invites the Special Rapporteur, in carrying out his mandate, to continue to bear in mind the need to be able to respond effectively to credible and reliable information that comes before him, to seek the views and comments of the Government concerned on any information which he intends to include in his report, and to continue to carry out his work with discretion and independence;

19. Encourages Governments, when seeking the assistance of the United Nations programme of advisory services and technical assistance in the field of human rights, to consider, where appropriate, including requests for assistance in the field of promotion and protection of the right to freedom of thought, conscience and religion;

20. Welcomes and encourages the efforts of non-governmental organizations to promote the implementation of the Declaration, and invites them to consider what further contribution they could make to its implementation and dissemination in all parts of the world;

21. Requests the Secretary-General 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-first session and to report to the Commission at its fifty-third session;

22. Decides to continue its consideration of the question at its fifty-third session under the item entitled "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief".

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