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ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE

Report of the Third Committee

Rapporteur: Mr. Carles CASAJUANA (Spain)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 23 September 1988, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Elimination of all forms of religious intolerance" and to allocate it to the Third Committee.
2. The Committee considered the item jointly with items 98, 99, 100, 101 and 106 at its 39th to 43rd, 46th and 51st meetings, on 10, 11, 14, 15, 17 and 23 November 1988. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/43/SR.39-43, 46 and 51).
3. For its consideration of the item, the Committee had before it the following documents:
 - (a) Letter dated 21 March 1988 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/43/230);
 - (b) Letter dated 28 March 1988 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/43/263);
 - (c) Letter dated 20 April 1988 from the Permanent Representative of Bulgaria to the United Nations addressed to the Secretary-General (A/43/320).
4. At the 39th meeting, on 10 November, the Under-Secretary-General for Human Rights made an introductory statement.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/43/L.53

5. At the 46th meeting, on 17 November, the representative of Ireland, on behalf of Austria, Belgium, Canada, Colombia, Costa Rica, Côte d'Ivoire, Fiji, Finland, France, Germany, Federal Republic of, Ireland, Luxembourg, the Netherlands, New Zealand, Norway, the Philippines, Portugal, Samoa, Senegal, Sweden, the United States of America, Uruguay and Venezuela, introduced a draft resolution (A/C.3/43/L.53) entitled "Elimination of all forms of religious intolerance".

6. At the 51st meeting, on 23 November, the Committee adopted draft resolution A/C.3/43/L.53 without a vote (see para. 7).

III. RECOMMENDATION OF THE THIRD COMMITTEE

7. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Elimination of all forms of religious intolerance

The General Assembly,

Conscious of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming its resolution 36/55 of 25 November 1981, in which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling its resolution 42/97 of 7 December 1987, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Encouraged by the efforts being made by the Commission on Human Rights and by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study relevant developments affecting the implementation of the Declaration,

Noting Commission on Human Rights resolution 1988/55 of 8 March 1988 ^{1/} and Economic and Social Council decision 1988/142 of 27 May 1988, extending by two years the mandate of the Special Rapporteur appointed 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,

^{1/} Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

Noting with satisfaction that the Commission on Human Rights decided at its forty-fourth session that the study of the current dimensions of the problems of intolerance and discrimination based on religion or belief by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities ^{2/} should be published in all official languages of the United Nations and should be widely distributed, and that the Sub-Commission has been invited to continue its in-depth consideration of the issue and to report to the Commission at its forty-fifth session,

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,

Seriously concerned that intolerance and discrimination on the grounds of religion or belief continue to occur in many parts of the world,

Believing that further efforts are therefore required in order to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of intolerance and of discrimination based on religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a right guaranteed to all without discrimination;

2. Urges States, therefore, in accordance with their respective constitutional systems and with such internationally accepted instruments as the Universal Declaration of Human Rights, ^{3/} the International Covenant on Civil and Political Rights ^{4/} and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief to provide, where they have not already done so, adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

3. Urges all States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief and, in this context, to examine where necessary the supervision and training of their civil servants, educators and other public officials to ensure that, in the course of their official duties, they respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

^{2/} E/CN.4/Sub.2/1987/26.

^{3/} Resolution 217 A (III).

^{4/} See resolution 2200 A (XXI), annex.

4. Invites the United Nations University and other academic and research institutions to undertake programmes and studies on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief;

6. Invites the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, in all the official languages of the United Nations, and to take all appropriate measures to make the text available for use by United Nations information centres, as well as by other interested bodies;

7. Requests the Secretary-General in this context to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in its dissemination in national and local languages;

8. Urges all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

9. Welcomes the renewal for two years of the mandate of the Special Rapporteur appointed by the Commission on Human Rights 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;

10. Notes that the Commission on Human Rights intends to consider also at its forty-fifth session the question of a binding international instrument in this field and emphasizes, in this connection, the relevance of General Assembly resolution 41/120 of 4 December 1986 entitled "Setting international standards in the field of human rights";

11. Requests the Commission on Human Rights to continue its consideration of measures to implement the Declaration and to report, through the Economic and Social Council, to the General Assembly at its forty-fourth session;

12. Decides to include in the provisional agenda of its forty-fourth session the item entitled "Elimination of all forms of religious intolerance" and to consider the report of the Commission on Human Rights under that item.