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Agenda item 89

ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE

Report of the Third Committee

Rapporteur: Miss Ana RICHTER (Argentina)

I. INTRODUCTION

1. The item entitled "Elimination of all forms of religious intolerance" was included in the provisional agenda of the thirty-third session of the General Assembly in accordance with Assembly resolution 32/143 of 16 December 1977.
2. At its 4th and 5th plenary meetings, on 22 September 1978, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.
3. The Committee considered this item at its 42nd, 60th to 64th, 66th and 67th meetings on 10 November, between 28 November and 1 December, and on 4 and 5 December. The views expressed by the representatives of Member States and by the observers on this item are contained in the summary records of those meetings (A/C.3/33/SR.42, 60 to 64, 66 and 67).
4. In connexion with item 89, the Committee had before it a note by the Secretary-General (A/33/160).
5. At the 42nd meeting, on 10 November, the Director of the Division of Human Rights introduced the item (see A/C.3/33/SR.42, para. 66).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/33/L.54

6. At the 63rd meeting, on 30 November, the representative of the Netherlands introduced a draft resolution (A/C.3/33/L.54) entitled "Elimination of all forms of religious intolerance", sponsored by Austria, Canada, Colombia, the Dominican Republic, France, Ghana, Honduras, Ireland, Italy, Jamaica, Lesotho, the Netherlands, Nigeria, Norway, Suriname, the United Kingdom of Great Britain and Northern Ireland,

the United States of America and Venezuela, subsequently joined by Australia, Costa Rica, Germany, Federal Republic of, Samoa, Sweden and Uruguay, which read as follows:

"The General Assembly,

Recalling article 18 of the Universal Declaration of Human Rights, proclaiming that everyone has the right of freedom of thought, conscience and religion,

Noting that during the thirty years of its existence many portions of the Declaration have been expanded into various international instruments, while article 18 has thus far not been so elaborated,

Still desirous to see article 18 followed by a declaration on the elimination of all forms of religious intolerance,

Recalling its resolution 3027 (XXVII) of 18 December 1972 in which it was decided to accord priority to the completion of the declaration on the elimination of all forms of religious intolerance before resuming consideration of the draft international convention on this subject,

Recalling its resolution 3267 (XXIX) of 10 December 1974 in which it requested the Commission on Human Rights to submit to the General Assembly, through the Economic and Social Council, a single draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief, and its resolutions 31/138 of 16 December 1976 and 32/143 of 16 December 1977 in which it urged the Commission to speed up its work so that the draft declaration might be finalized,

Taking note with regret that the Commission on Human Rights has reported, through the Economic and Social Council, that it has as yet not completed the draft declaration,

Taking account of the fact that, since the Commission on Human Rights has undertaken to draft the declaration in response to the request made to it in General Assembly resolution 3267 (XXIX), the informal working group set up by the Commission at each of its sessions since 1974 has so far adopted the title and preamble of a draft declaration,

1. Requests the Commission on Human Rights at its thirty-fifth session to give high priority to the drafting of the declaration on the elimination of intolerance and of discrimination based on religion or belief, and to strive toward completion of the draft declaration at that session;

2. Requests the Secretary-General to make available for the Commission on Human Rights the provisions of existing international instruments which relate to the problem of religious intolerance;

/...

3. Requests the Commission to instruct its working group which has been established to carry out this task to set a time-table for a full consideration of the remaining articles of the draft declaration during the thirty-fifth session;

4. Requests the Commission on Human Rights to submit to the General Assembly at its thirty-fourth session, through the Economic and Social Council, a single draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief;

5. Decides to include in the provisional agenda of its thirty-fourth session the item entitled 'Elimination of All Forms of Religious Intolerance' with high priority."

7. At the 66th meeting, on 4 December, the representative of Hungary proposed that operative paragraph 3 should be deleted; the representative of Viet Nam proposed that the words "high priority" in operative paragraph 1 should be replaced by the words "due attention" and that the words "with high priority" at the end of operative paragraph 5 should be deleted; the representative of the Ukrainian Soviet Socialist Republic proposed that a new preambular paragraph should be included and that the words "when completed" should be added at the end of operative paragraph 4. The representative of Mongolia proposed a subamendment to the latter amendment, whereby the word "when" would be replaced by the words "if it is". The representative of the German Democratic Republic proposed that the words "with regret" in the sixth preambular paragraph should be deleted. The representative of the Netherlands proposed revisions to the original text. The Committee finally decided that the oral amendments should be submitted in writing.

8. At the 67th meeting, on 5 December, the Committee had before it the following amendments:

(a) Amendments submitted by the representative of Viet Nam (A/C.3/33/L.67), reading:

"1. In operative paragraph 1, replace the words 'high priority' by the words 'due attention'.

"2. Delete the words 'with high priority' at the end of operative paragraph 5."

(b) Amendments submitted by the representative of the Ukrainian Soviet Socialist Republic (A/C.3/33/L.68), reading:

"1. Before the last preambular paragraph insert a new paragraph to read:

'Noting further the efforts undertaken by the informal working group set up by the Commission on Human Rights in elaborating a generally acceptable text of the Declaration, taking into account the relevant United Nations documents,'

"2. At the end of operative paragraph 4 add the following words:

'when completed;'

9. At the same meeting, the Committee took decisions on the amendments by recorded vote and in the following order:

(a) Sixth preambular paragraph: delete the words "with regret". The proposal was rejected by 39 votes to 46, with 39 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahrain, Benin, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, Iraq, Jordan, Kuwait, Liberia, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Oman, Poland, Qatar, Romania, Sao Tome and Principe, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yemen, Yugoslavia.

Against: Australia, Austria, Belgium, Canada, Chad, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Jamaica, Lesotho, Luxembourg, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Rwanda, Saudi Arabia, Spain, Suriname, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Argentina, Bahamas, Bangladesh, Barbados, Bolivia, Brazil, Burma, Central African Empire, Cyprus, Ethiopia, Fiji, Greece, Guyana, India, Indonesia, Iran, Japan, Kenya, Malaysia, Mauritania, Mexico, Nepal, Pakistan, Peru, Philippines, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Zaire.

(b) Insertion of a new seventh preambular paragraph between the existing sixth and seventh preambular paragraphs (A/C.3/33/L.68, para. 1). The proposal was adopted by 45 votes to 42, with 38 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahrain, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Congo, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, Iraq, Jordan, Kuwait, Liberia, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Oman, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia.

Against: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Lesotho, Luxembourg, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Spain, Suriname, Sweden, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Venezuela.

Abstaining: Argentina, Bahamas, Bangladesh, Barbados, Bolivia, Brazil, Burma, Central African Empire, Cyprus, Fiji, Gabon, Guyana, India, Indonesia, Iran, Ivory Coast, Jamaica, Japan, Kenya, Malaysia, Maldives, Mauritania, Mexico, Nepal, Pakistan, Peru, Philippines, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Thailand, Trinidad and Tobago, Tunisia, Turkey, Zaire.

(c) Operative paragraph 1: replace the words "high priority" by the words "due attention" (A/C.3/33/L.67, para. 1). The proposal was rejected by 38 votes to 50, with 36 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahrain, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Ethiopia, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, Iraq, Kuwait, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Oman, Poland, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yemen, Yugoslavia.

Against: Australia, Austria, Belgium, Canada, Chad, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Jamaica, Lesotho, Luxembourg, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Rwanda, Spain, Suriname, Swaziland, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Uruguay, Venezuela.

Abstaining: Argentina, Bahamas, Bangladesh, Barbados, Bolivia, Brazil, Burma, Central African Empire, Cyprus, Egypt, Guyana, India, Indonesia, Iran, Japan, Jordan, Kenya, Malaysia, Maldives, Mauritania, Mexico, Nepal, Pakistan, Peru, Philippines, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Thailand, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Upper Volta, Zaire.

(d) Delete operative paragraph 3. The proposal was rejected by 36 votes to 51, with 37 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Ethiopia, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, Iraq, Kuwait, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Oman, Poland, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yemen, Zambia.

Against: Australia, Austria, Bahrain, Belgium, Canada, Chad, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Lesotho, Luxembourg, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Rwanda, Spain, Suriname, Swaziland, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Venezuela.

Abstaining: Argentina, Bahamas, Bangladesh, Barbados, Bolivia, Brazil, Burma, Central African Empire, Cyprus, Egypt, Gabon, Guyana, India, Indonesia, Iran, Japan, Jordan, Kenya, Malaysia, Maldives, Mauritania, Mexico, Nepal, Pakistan, Peru, Philippines, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Togo, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Yugoslavia, Zaire.

(e) Operative paragraph 4: add the words "when completed" at the end of the paragraph (A/C.3/33/L.68, para. 2). The proposal was rejected by 42 votes to 45, with 39 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahrain, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Egypt, Ethiopia, German Democratic Republic, Guinea-Bissau, Hungary, Iraq, Jordan, Kuwait, Libyan Arab Jamahiriya, Mongolia, Mozambique, Oman, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Viet Nam, Yemen.

Against: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Lesotho, Luxembourg, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Spain, Suriname, Swaziland, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela.

Abstaining: Argentina, Bahamas, Bangladesh, Barbados, Bolivia, Brazil, Burma, Central African Empire, Chad, Cyprus, Gabon, Guinea, Guyana, India, Indonesia, Iran, Ivory Coast, Jamaica, Japan, Kenya, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Nepal, Pakistan, Peru, Philippines, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Thailand, Trinidad and Tobago, Tunisia, Yugoslavia, Zaire.

(f) Operative paragraph 5: delete the words "with high priority" (A/C.3/33/L.67, para. 2). The proposal was rejected by 38 votes to 50, with 37 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahrain, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Guinea-Bissau, Hungary, Iraq, Jordan, Kuwait, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Oman, Poland, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yemen, Yugoslavia.

Against: Australia, Austria, Belgium, Botswana, Canada, Chad, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Lesotho, Luxembourg, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Rwanda, Senegal, Spain, Suriname, Swaziland, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Uruguay, Venezuela.

Abstaining: Argentina, Bahamas, Bangladesh, Barbados, Bolivia, Brazil, Burma, Central African Empire, Cyprus, Egypt, Gabon, Guinea, Guyana, India, Indonesia, Iran, Jamaica, Japan, Kenya, Malaysia, Maldives, Mauritania, Mexico, Nepal, Pakistan, Peru, Philippines, Singapore, Somalia, Sri Lanka, Sudan, Thailand, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Upper Volta, Zaire.

10. At the same meeting, the draft resolution, as amended, was adopted by a recorded vote of 104 to none, with 25 abstentions (see para. 11 below). The voting was as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bolivia, Botswana, Brazil, Burma, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Cyprus, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Fiji, Finland, France, Gabon, Germany, Federal Republic of,

/...

Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Afghanistan, Algeria, Angola, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Guinea-Bissau, Hungary, India, Mongolia, Mozambique, Poland, Romania, Sao Tome and Principe, Saudi Arabia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

III. RECOMMENDATION OF THE THIRD COMMITTEE

11. 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,

Recalling article 18 of the Universal Declaration of Human Rights, 1/ proclaiming that everyone has the right to freedom of thought, conscience and religion,

Noting that during the thirty years of its existence many portions of the Declaration have been expanded into various international instruments, while article 18 has thus far not been so elaborated,

Still desirous to see article 18 followed by a declaration on the elimination of all forms of religious intolerance,

1/ Resolution 217 A (III).

Recalling its resolution 3027 (XXVII) of 18 December 1972 in which it decided to accord priority to the completion of the Declaration on the Elimination of All Forms of Religious Intolerance before resuming consideration of the draft International Convention on this subject,

Recalling its resolution 3267 (XXIX) of 10 December 1974 in which it requested the Commission on Human Rights to submit to the General Assembly, through the Economic and Social Council, a single draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and its resolutions 31/138 of 16 December 1976 and 32/143 of 16 December 1977 in which it urged the Commission to speed up its work so that the draft Declaration might be finalized,

Noting with regret that the Commission on Human Rights has reported, through the Economic and Social Council, that it has as yet not completed the draft Declaration,

Noting further the efforts undertaken by the informal working group set up by the Commission on Human Rights in elaborating a generally acceptable text of the Declaration, taking into account the relevant United Nations documents,

Taking account of the fact that, since the Commission on Human Rights has undertaken to draft the Declaration in response to the request made to it in General Assembly resolution 3267 (XXIX), the informal working group set up by the Commission at each of its sessions since 1974 has so far adopted the title and preamble of a draft declaration,

1. Requests the Commission on Human Rights at its thirty-fifth session to give high priority to the drafting of the Declaration on the Elimination of Intolerance and of Discrimination Based on Religion or Belief, and to strive towards completion of the draft Declaration at that session;
2. Requests the Secretary-General to make available for the Commission on Human Rights the provisions of existing international instruments which relate to the problem of religious intolerance;
3. Requests the Commission on Human Rights to instruct its working group which has been established to carry out this task to set a time-table for a full consideration of the remaining articles of the draft Declaration during the thirty-fifth session;
4. Requests the Commission on Human Rights to submit to the General Assembly at its thirty-fourth session, through the Economic and Social Council, a single draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;
5. Decides to include in the provisional agenda of its thirty-fourth session the item entitled "Elimination of all forms of religious intolerance" and to give it high priority.