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

Comments received from non-governmental organizations  
pursuant to Commission resolution 22 (XXXIV)

INTRODUCTION

1. By its resolution 22 (XXXIV) of 8 March 1978, entitled "Draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief", the Commission on Human Rights, inter alia, suggested that States Members of the United Nations or members of specialized agencies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council which had views to submit on the elaboration of a draft declaration might wish to do so in writing to the Secretary-General in order that their views would be available to all members prior to the Commission's thirty-fifth session.
2. Accordingly, appropriate note verbales were sent to governments and letters were sent to the above-mentioned agencies and organizations. By 1 December, substantive replies had been received from the following non-governmental organizations: Bahá'i International Community; Christian Democratic World Union; Christian Peace Conference and Lutheran World Federation. A synopsis of these replies follows.

REPLIES RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

3. The Bahá'i International Community, in its letter of 10 November 1978 states that:

"The increase of tolerance and understanding of religious beliefs through the adoption of a declaration on the elimination of religious intolerance will have a significant impact on the development of society as a whole. In the view of the Bahá'i International Community, the advancement of society is due to the influence of religion, progressively revealed to mankind throughout its long history. It can be said that revealed religion is the mainspring of the life and morality of individuals and of society. The constructive relationship between religion and society is seen by members of the Bahá'i International Community in the following excerpt from the writings of Bahá'u'lláh, the Founder of the Bahá'i Faith:

'The purpose of religion as revealed from the heaven of God's holy will is to establish unity and concord amongst the peoples of the world; make it not the cause of dissension and strife. The religion of God and His divine law are the most potent instruments and the surest of all means for the dawning of the light of unity amongst men. The progress of the world, the development of nations, the tranquillity of peoples, and the peace of all who dwell on earth are among the principles and ordinances of God. Religion bestoweth upon man the most precious of all gifts, offereth the cup of prosperity, imparteth eternal life, and showereth imperishable benefits upon mankind.'

4. The Bahá'i International Community holds that

"religion can become an effective force in the development of a country if its adherents disengage themselves from partisan politics, while at the same time conducting themselves with loyalty and obedience to government and not interfering in the laws of the country. In this respect, Bahá'i communities everywhere are holding fast to whatsoever will promote the interests, and exalt the station of all nations."

5. The Bahá'i International Community states that it

"wholeheartedly supports the concept of a declaration on the elimination of religious intolerance. Indeed, Bahá'is have been and are actively engaged in uniting peoples of all backgrounds, whether religious, racial, cultural, ethnic, or class..."

6. The Christian Democratic World Union, in its communication of 30 August 1978, proposes:

(a) to add to article II the following:

"particularly in their work or profession where they should not be deprived of better positions or promotion on the grounds of their religious beliefs."

(b) to add to article VI, point 8, the following:

"No one can be compelled to work or participate in any social, political or professional activities during holy or rest days."

7. The Christian Peace Conference in its letter of 8 September 1978 expressed support for the following proposals relating to the draft Declaration:

(a) "Everyone has the right to freedom of thought, conscience, religion and belief, including theistic, non-theistic and atheistic beliefs." 1/

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1/ See Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34), para. 259 (para. 16 of the report of the working group).

- (b) "No Government, organization or individual shall be entitled to use religion or belief as a pretext for interfering in the internal affairs of a State." 2/
- (c) Article VI (d), as submitted by the Working Group: "Freedom to observe the rights or customs of their religion or belief." 3/
8. The Conference also recommends the addition of the following paragraph to article VI: 4/
- "9. Equal legal protection against all forms of intolerance and discrimination should be afforded to all persons whose religious or other beliefs forbid their participation in military or war service. These persons should be enabled, legally, to enlist in alternative social or peace services."
9. The Christian Peace Conference also suggests "the inclusion of the female part of humankind, expressis verbis, in the text of the Declaration, e.g. "he/she" and "her/his" according to the priorities of the alphabetic order".
10. The Lutheran World Federation in its communication of 15 September 1978 states that:
- "1. It is a matter of great importance that in the fundamental statement (article I) reference be made to the right to propagate as well as to hold or change one's religious faith. This right should of course be accorded to atheists and agnostics as well as to adherents of religion.
- "2. The final clause in brackets in the draft of article III [E/CN.4/1145, para. 27] should be deleted, as its inclusion could easily lead to arbitrary restriction of freedom. For the same reason the [proposal contained in para. 28 (d)] should be rejected.
- "3. The inclusion of the explicit references articulated in the bracketed para. 2 [E/CN.4/1145, para. 30] would strengthen article IV.
- "4. The formulation of article V as proposed... [E/CN.4/1145, para. 34 (a)] seems to us most clear and adequate.

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2/ E/CN.4/1145, para. 39 (c).

3/ E/CN.4/1145, para. 36.

4/ E/CN.4/1145, annex I.

"5. Whereas in certain areas the concerns of the State and of religion overlap (for example in matters of public morals), and whereas it is possible that in the name of religion harmful practices may be encouraged (as indeed they may be in the name of the State), there is need for some restriction on the absolute freedom of "religious" practice. Such restriction should, however, be phrased with the utmost care and specificity, lest legitimate and tolerable differences of opinion, understanding and practice be disallowed. The proposal... for revision of article VI, for example, [E/CN.4/1145, para. 37 (f)] is much too vague. It will in the long run be better to allow too much freedom than too little."