

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL
E/CN.4/Sub.2/1985/28
25 June 1985
ENGLISH
Originals: ENGLISH/FRENCH/SPANISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Thirty-eighth session
Item 15 of the provisional agenda

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

Progress report by Mrs. Elizabeth Odio Benito, Special Rapporteur

CONTENTS

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
Introduction	1 - 24	3
Preliminary outline of the information received to date	25 - 96	8
A. Initial remarks	25	8
B. Government replies	26 - 37	8
C. Replies from intergovernmental organizations	38 - 61	10
1. Introductory remarks	38	10
2. Specialized agencies in the United Nations system	39 - 57	10
(a) World Health Organization	40	10
(b) International Labour Organisation	41 - 42	10
(c) United Nations Educational, Scientific and Cultural Organization	43 - 57	10
3. Regional intergovernmental organizations	58 - 61	13

CONTENTS (continued)

Chapter	Paragraphs	Page
D. Replies from non-governmental organizations	62 - 71	13
E. Existence and causes of intolerance and discrimination on grounds of religion or belief and recommended measures to combat such intolerance and discrimination according to the replies received to date	72 - 96	15
1. Introductory remarks	72 - 73	15
2. Manifestations of intolerance and discrimination in the matter of religion or belief: their causes	74 - 88	15
3. Recommendations concerning measures to combat intolerance and discrimination based on religion or belief	89 - 96	18

INTRODUCTION

1. The purpose of this text is to submit to the Sub-Commission at its thirty-eighth session - pursuant to the request contained in its resolution 1984/31, paragraph 1 - a progress report on work done so far.
2. In continuing the work entrusted to the Special Rapporteur under the terms of reference conferred on her by the Sub-Commission in its resolution 1983/31, and in the light of Commission on Human Rights resolutions 1983/40 and 1984/57 and Economic and Social Council resolution 1984/39, the Special Rapporteur has undertaken a number of activities which are described below.
3. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, by its resolution 1984/31 of 30 August 1984 adopted at its thirty-seventh session, having discussed the preliminary report (E/CN.4/Sub.2/1984/28) submitted by the Special Rapporteur, requested the Special Rapporteur to continue her work to submit to the Sub-Commission a progress report at its thirty-eighth session and a final report at its thirty-ninth session.
4. In response to an invitation for that purpose, the Special Rapporteur participated in the United Nations Seminar on the Encouragement of Understanding, Tolerance and Respect in Matters relating to Freedom of Religion or Belief, which was organized by the United Nations Centre for Human Rights and held from 3 to 14 December 1984 at the Palais des Nations, Geneva (Switzerland). At the request of the United Nations Secretariat, the Special Rapporteur prepared for the Seminar a background paper under the symbol HR/GENEVA/1984/BP.2. This paper contained a preliminary analysis of a number of subjects including: norms of international law on freedom of thought, conscience and religion; background material concerning these norms and preliminary considerations relating to this question, followed by an analysis of the scope of the 1981 Declaration; and measures that could be adopted to eliminate and to prevent and combat intolerance and discrimination based on religion or belief. For this purpose consideration was given to the formulation of a draft convention on the subject, including action by United Nations bodies to protect the rights and freedoms embodied in the 1981 Declaration until the convention is achieved, and similar measures in national legal systems. Questions relating to substantive/material measures were then examined, separate attention being given to action in the international sphere, such as the activities of the specialized agencies in the United Nations system and those of non-governmental organizations, and action in the national sphere, including educational measures.
5. The Special Rapporteur wishes to draw to the attention of the members of the Sub-Commission the two other background papers prepared for the Seminar 1/ and the working papers submitted by 19 participants in the Seminar. 2/
6. It might be useful to refer briefly to the items discussed at the Seminar and to the main points examined in order to give the Sub-Commission a general idea of these questions.

1/ HR/GENEVA/1984/BP.1 prepared by Professor Adam Lopatka (Poland) and HR/GENEVA/1984/BP.3 prepared by Professor Roger S. Clark (United States of America).

2/ Identified by the symbol HR/GENEVA/1984/WP and numbered 1-19 respectively. The authors of these papers and their countries of nationality are listed in the report on the Seminar (ST/HR/SER.A/16, para. 17, pp. 3 and 4).

7. The items considered at the Seminar were: (a) the principle of tolerance in the Charter of the United Nations and freedom of religion or belief under international instruments on human rights; (b) nature and dimensions of contemporary manifestations of intolerance of religion or belief; (c) models of national or local action to prevent or combat intolerance of religion or belief; (d) education programmes to foster tolerance of religion or belief; and (e) future activities to promote and to protect freedom of religion or belief with particular reference to the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. 3/

8. Reproduced below are statements made by the respective discussion leaders summing up the debate on the item in question.

9. The discussion leader on item 1 noted that the debate had been wide-ranging and that the Seminar unanimously felt that international instruments dealing with freedom of religion and belief had a positive impact on national legislation and practice. He emphasized the importance of the principle of tolerance and non-discrimination as regards religion or belief, in conditions of peace, development and active coexistence of States with different political, social and economic systems. He suggested that the Seminar consider at a later stage the possibility of elaborating a new international instrument dealing with the elimination of intolerance and discrimination based on religion or belief, taking into account the views expressed during the course of the discussion of item 1 (report on the Seminar, para. 30). 4/

10. The discussion leader on item 2 noted the magnitude of intolerance and discrimination based on religion or belief, despite the existence of various constitutional provisions and relevant laws in national legal systems. Referring to the policy of apartheid, he said that all people should be enabled to enjoy the "right either individually or in community with others or in public or private, to manifest his religion or belief in worship, observance, practice and teaching", as provided in article 1 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. He finally expressed the hope that the enjoyment of the right to freedom of religion or belief would remain possible for the people in all countries irrespective of their different systems of government (report on the Seminar, para. 48). 5/

11. The discussion leader on item 3 highlighted the main points which had been raised during the consideration of the item. He observed that many participants had stressed the need to reinforce legislative measures through concrete action in the field of education and constructive dialogue among different faiths and beliefs. He observed that many ideals and values were common to religious as well as non-religious beliefs, and that better mutual understanding of such values would greatly contribute to the eradication of intolerance of religion or belief. He noted with satisfaction that the various measures he had suggested in the field of the protection and promotion of religious freedom seemed acceptable

3/ See report on the Seminar (ST/HR/SER.A/16, paras. 19-100).
4/ Ibid., p. 8.
5/ Ibid., p. 11.

to the participants and could therefore constitute a positive basis for further deliberations in various United Nations bodies as well as for Governments to take immediate steps to implement the principles enshrined in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (report on the Seminar, para. 56). 6/

12. The discussion leader on item 4 underlined the extremely important role that education could play in promoting the principle of tolerance in matters relating to religion or belief. He noted that it was emphasized during the debate that schools should establish programmes which included the teaching of human rights in general, and in particular the right to freedom of religion or belief. He further observed that the United Nations and other international organizations, and in particular UNESCO, as well as non-governmental organizations should redouble efforts to help promote the rights in question. He referred to the view expressed by many participants that the United Nations, through the Centre for Human Rights and the United Nations University, should undertake research studies with a view to drawing up relevant educational material. He also referred to the role that the mass media could play (report on the Seminar, para. 78). 7/

13. The discussion leader on item 5 referred to the main points raised by the participants and drew attention in particular to the discussion among the participants with regard to the necessity of elaborating an international convention on the elimination of all forms of intolerance and of discrimination based on religion or belief. He expressed the hope that the Seminar would be in a position to adopt a recommendation on the subject so that the drafting of the convention could be undertaken by a competent United Nations body as soon as possible. He recalled the preamble of a competent United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, which affirmed that religion or belief, for anyone who professed either, was one of the fundamental elements in his conception of life (report on the Seminar, para. 100). 8/

14. The Seminar reached the following conclusions:
To practise tolerance and to live together in peace with one another as good neighbours is a duty accepted by Member States of the United Nations under the Charter. Tolerance, understanding and respect for religion or other belief is essential for living in peace. The full and faithful implementation of the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights, and the International Convention on the Elimination of All Forms of

6/ Ibid., p. 14.
7/ Ibid., p. 18.
8/ Ibid., p. 23.

Racial Discrimination would contribute greatly to the promotion of tolerance and to peaceful and good neighbourly relations. Therefore, the highest priority should be given to the universal ratification and full implementation of these instruments;

Freedom of thought, conscience, religion or belief is a fundamental right to be guaranteed to all without discrimination;

Manifestations of intolerance and the existence of discrimination in matters of religion or belief are still unfortunately in evidence in some parts of the world. Deep concern was expressed by participants over violations of the right to profess and practise religion, acts of violence against members of religious groups and acts of destruction perpetrated against places of worship;

The religions of the world and the systems of humanistic belief are in their essence tolerant and have the same moral dignity. While safeguarding their own principles they can guide their followers or adherents to increasing harmony based on the dignity to be accorded to each human being and based on mutual tolerance, respect and understanding for their respective interpretations of the truth;

Action is required at all levels to eliminate intolerance and discrimination from the world and to ensure respect for, and freedom of, religion or belief (report on the Seminar, para. 101, (a)-(e)). 2/

15. The recommendations adopted at the Seminar are indicated in section I.F.3 of this report (see below, para. 96).

16. The suggestions made in the Sub-Commission at its thirty-seventh session have been given particular attention during the continuing compilation and analysis of data for the study.

17. In the course of these activities, the Special Rapporteur has examined the summary records of the Sub-Commission's 32nd and 33rd meetings which were held on 28 August 1984 during its thirty-seventh session, 10/ and studied in detail the views expressed by the members of the Sub-Commission and the representatives of non-governmental organizations who spoke on the item. She noted in particular the comments and suggestions concerning certain questions which some speakers considered important for the future development of the study. The Special Rapporteur wishes to repeat at this point what she said during the thirty-third session, namely, that all these views will be taken duly into account in the preparation of the study.

18. Since no changes were suggested in the draft questionnaire referred to the Sub-Commission for consideration as an annex to the preliminary report submitted at its thirty-seventh session (E/CN.4/Sub.2/1984/28, annex), no amendments were made to that text prior to its transmission to Governments and organizations requesting relevant information.

19. On 28 September 1984, a note verbale requesting information was sent with the questionnaire to the Governments of all States and to the Holy See. In

9/ Ibid., p. 24.

10/ E/CN.4/Sub.2/1984/SR.32 and SR.33.

that note, reference was made to the note verbale of 15 August 1984, which drew attention to Economic and Social Council resolution 1984/39 and Sub-Commission resolution 1983/31 and requested information for the study, indicating that any information that Governments might wish to provide should, if possible, be submitted by 30 November 1984.

20. By 10 May 1985, at the time of writing these lines, the Special Rapporteur had received replies from the 22 Governments listed below: 11/ Argentina (20 December 1984), Barbados (20 November 1984), Burkina Faso (19 November 1984), Burundi (30 January 1985), Chad (30 November 1984), Chile (28 November 1984), Cyprus (7 November 1984), Czechoslovakia (14 December 1984), Denmark (4 December 1984), Dominican Republic (5 November 1984), German Democratic Republic (31 January 1985), Honduras (10 December 1984), Iraq (20 December 1984), Jordan (21 November 1984), Mexico (6 November 1984), Pakistan (13 December 1984), Peru (4 December 1984), Qatar (26 December 1984), Syrian Arab Republic (8 November 1984), Thailand (30 January 1985), Tonga (30 October 1984), United Kingdom (27 December 1984). A reply was also received from the Holy See dated 30 November 1984.

21. Also on 28 September 1984, an identical note verbale was addressed to the regional intergovernmental organizations. By 10 May 1985, a reply had been received only from the Organization of American States (OAS) dated 2 December 1984.

22. On the same day, 28 September 1984, a letter having the same substance as the note verbale and signed by Mr. Kwadwo Nyanameye, the responsible official in the Centre for Human Rights, was sent to the specialized agencies in the United Nations system. By 10 May 1985, replies had been received from the World Health Organization (WHO) dated 15 November 1984, the International Labour Organisation (ILO) dated 7 November 1984, and the United Nations Educational, Scientific and Cultural Organization (UNESCO) dated 16 November 1984.

23. A letter identical in substance with that referred to in the preceding paragraph was sent on the same date (28 September 1984) to the non-governmental organizations in consultative status which were thought to have relevant information to transmit concerning the present study. The organizations selected for this purpose by the United Nations Secretariat are listed in an annex to this report. By 10 May 1985, replies had been received from the following non-governmental organizations in consultative status: 12/ Amnesty International (26 November 1984), Commission of the Churches on International Affairs (11 October 1984), Christian Peace Conference (26 November 1984), World Federation of Trade Unions (12 October 1984), International Islamic Federation of Student Organizations (30 October 1984), International Organization for the Elimination of All Forms of Racial Discrimination (EIFORD) (7 February 1985), Programme of the Churches on Human Rights for the implementation of the Helsinki Final Act (17 October 1984) and the Friends' World Committee for Consultation (26 November 1984).

24. The Special Rapporteur has received additional data and information from other sources which will be identified in the part of the substantive report in which they are used, once appropriate authorization has been obtained in each case.

11/ The date in brackets after the name of each country is that which heads the note accompanying the data transmitted by each Government.

12/ The date in brackets after the name of each organization is that which heads the relevant reply.

Preliminary outline of the information received to date

A. Initial remarks

25. The data received so far are manifestly insufficient. They are still scanty, fragmentary and not extensive enough to begin a draft of any of the substantive parts of the report. The replies can, however, be provisionally grouped according to the type of information they contain.

B. Government replies

26. Government replies furnishing information received as at the time of writing (10 May 1985) can be divided into four main groups, on the basis of the type of information contained, as follows.

27. A first group consists of countries regarding which the information provided by the Government follows, to an extent which varies from reply to reply, the questionnaire used to collect information. Slightly fewer than one third of all the countries which have so far replied are in this group; they are Argentina, Honduras, Iraq, Pakistan, Peru, Qatar and Thailand.

28. The second group would appear to include six countries whose Governments have provided quotations from, or references to, constitutional and legal provisions which they consider relevant. Some of them also add commentaries in the form of general statements. The countries are: Burundi, Czechoslovakia, Chile, Federal Republic of Germany, Mexico and the United Kingdom.

29. A third group would appear to consist of four countries whose Governments have transmitted only quotations from relevant constitutional and legal provisions. They are Barbados, Cyprus (which also transmits a judicial decision), Denmark and Jordan.

30. The fourth group would appear to include five countries which have only furnished government statements regarding the right to freedom of thought, conscience, religion and belief, not all of which refer to specific constitutional or legal provisions. They are Burkina Faso, Chad, Dominican Republic, Syrian Arab Republic and Tonga.

31. The Holy See has transmitted its views and comments on the questionnaire and the outline for the study.

32. In undertaking the analysis of the information received to date, it was decided to begin with the least detailed information, which requires less work. It was felt that it would be useful to reproduce verbatim the information provided by 23 per cent of the countries included in the groups outlined above so that it could be assessed at first hand. Statements of a more general character are reproduced first.

33. In the information concerning Tonga, it is simply stated that:

"... Tonga guarantees freedom of thought, conscience and religion in general for its people.

"There are no legal restrictions as yet upon the freedom to manifest religion or belief nor any on the right of every person to have and to maintain his religion or other belief." ^{13/}

34. The information provided by Burkina Faso refers to the period subsequent to the initiation of the democratic and popular revolution:

"... since the advent of the National Council of the Revolution (CNR) and the initiation of the Democratic and Popular Revolution (RDP) in Burkina Faso, no case of intolerance or discrimination based on religion has been recorded." ^{14/}

35. In its report Chad refers to a constitutional provision:

"... Under article 1 of the Fundamental Act of the Republic, a text with constitutional authority, Chad is a secular republic and ... consequently all religions may be freely practised and all beliefs freely expressed." ^{15/}

36. The Syrian Arab Republic states:

"... The problem of intolerance and discrimination based on religion or belief does not exist in Syria. Our law makes no distinction between citizens in this regard, all citizens being treated equally by Governmental departments and with regard to appointment to public and private office. Accordingly, we have no need to adopt measures to encourage tolerance and mutual respect since these principles are basically promoted by public morality and religious and social teachings." ^{16/}

37. The Dominican Republic states:

"... Our Constitution is clear in this respect, since article 8-8 on individual and social rights provides for 'freedom of conscience and worship subject to public order and respect for morality'. Consequently, in practice there is no record of religious minorities or atheists (if there are any) being subjected to discrimination or persecution by the Government. In our country there is no such intolerance or discrimination." ^{17/}

^{13/} Information provided by the Government on 30 October 1984.

^{14/} Information provided by the Government on 19 November 1984.

^{15/} Information transmitted by the Government on 15 November 1984.

^{16/} Information provided by the Government on 8 November 1984.

^{17/} Information provided by the Government on 5 November 1984.

C. Replies from intergovernmental organizations

1. Introductory remarks

38. This section deals with certain substantive aspects of the replies provided by specialized agencies in the United Nations system and regional inter-governmental organizations.

2. Specialized agencies in the United Nations system

39. As stated earlier, information has been received from WHO, ILO and UNESCO. 18/

(a) World Health Organization

40. The World Health Organization (WHO) simply states that: "WHO is not in a position to submit any relevant information to the Special Rapporteur". 19/

(b) International Labour Organisation

41. The International Labour Organisation (ILO) has submitted a selection of material relevant to this subject. 20/ This includes extracts from the reports of the Committee of Experts and the Conference Committees on 'the Application of Conventions and Recommendations concerning two countries and the report of a committee of the ILO Governing Body on a representation relating to one of those countries. Reference is made to a recent judicial decision in the second of the two countries.

42. ILO also transmits a 1984 report entitled "ILO standards and action for the elimination of discrimination and the promotion of equality of opportunity in employment" (EGALITE/1984/D.1.). 21/

(c) United Nations Educational, Scientific and Cultural Organization (UNESCO)

43. UNESCO has furnished information concerning its activities in the fields of education, culture, communications, and social and human sciences. 22/

44. In the field of education, UNESCO refers to the Convention and Recommendation against Discrimination in Education (December 1960), in particular to articles 1, 2 and 5 of the Convention and the obligation of States to submit periodic reports concerning measures taken to give effect to these provisions.

18/ See paragraph 22 above.

19/ Information provided on 15 November 1984.

20/ Information provided on 7 November 1984.

21/ International Labour Office, Promotion of Equality Department, Equality of Rights Branch, 1984.

22/ The following summary is based on information provided on 16 November 1984 for the present study.

45. UNESCO mentions that three periodic consultations have been undertaken since 1965 and that the results of the third consultation were submitted to the General Conference at its twentieth and twenty-first sessions in 1978 and 1980 respectively. At its twenty-third session in 1985, the General Conference will receive a report providing a basis for the fourth consultation.

46. In the cultural field, UNESCO refers to its activities in the study and dissemination of the spiritual and cultural values which form the basis of the identity of the various geo-cultural regions and which, in the long term, favour increased understanding and recognition of the various beliefs and religions. Reference is also made to representative UNESCO publications on the subject, which contribute to the more effective dissemination of the messages of the various spiritual families of mankind.

47. In this connection reference is made to the execution of medium-term programmes (1984-1989) relating to the analysis and stimulation of intercultural communication (subprogramme XI.2.(iii)) and studies of the specificity and universality of cultural values (subprogramme XI.2.(v)). Both subprogrammes are expanded to cover spiritual values.

48. Reference is made to the regional histories prepared under the research and publication programme directed towards knowledge of cultures and promotion of cultural identities (subprogrammes XI.2.(i)), which help to draw attention to religions and beliefs that have been overlooked for many years in many publications characterized by ethnocentrism.

49. The review of the history of the scientific and cultural development of mankind, which is being undertaken with the same objective, is also mentioned. For the purposes of the review, an international commission of specialists from all spiritual and cultural groupings has been set up.

50. With regard to communication, reference is made to the UNESCO Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War, which the General Conference adopted by acclamation on 20 November 1978 at its twentieth session. The Declaration refers explicitly to respect for all religions in article III (2), which reads as follows:

"In countering aggressive war, racialism, apartheid and other violations of human rights which are inter alia sparked by prejudice and ignorance, the mass media, by disseminating information on the aims, aspirations, cultures and needs of all peoples, contribute to eliminate ignorance and misunderstanding between peoples, to make nationals of a country sensitive to the needs and desires of others, to ensure the respect of the rights and dignity of all nations, all peoples and all individuals without distinction of race, sex, language, religion or nationality and to draw attention to the great evils which afflict humanity, such as poverty, malnutrition and diseases, thereby promoting the formulation by States of the policies best able to promote the reduction of international tension and the peaceful and equitable settlement of international disputes."

51. The dissemination of the Declaration, which has been translated into some 26 languages, is provided for in the medium-term plan (1984-1989) and is included in the programme budget for 1984/1985.

52. With regard to the human and social sciences, in the light of resolution 20 (XXV) of the United Nations Commission on Human Rights, UNESCO organized an Expert Meeting in Bangkok (Thailand) on the place of human rights in cultural and religious traditions. This meeting, which was held in December 1979, devoted considerable attention to the question of religious intolerance. The best papers presented at the meeting were published in the Bulletin de l'Enseignement des Droits de l'Homme (Vol. II, No. 1, 1981).

53. The second medium-term plan adopted by the General Conference of UNESCO at its fourth extraordinary session (Paris, France, November-December 1985) states (paragraph 12031):

"Although it is true that religions are inseparably linked with the highest spiritual and cultural values of every society, it is no less true that religion may be the cause and justification of certain kinds of exclusion. Different religious affiliations may then be a cause of division between groups or be a contributing factor in certain social conflicts, despite the fact that these same religions preach tolerance. Antagonisms expressed in terms of religion may be coupled with the historic development of real intergroup conflicts connected with an act of conquest, equal access to political or economic power, or some other factor. The capacity of religion - like that of language - to mobilize peoples may, in some circumstances, permit a fusion of ambitions of a religious nature with specifically political programmes. However, real progress has been made in the last few decades in understanding the common roots of many religions and the values that they share".

54. Programme XII of the Medium-Term Plan mentioned above includes a subprogramme on studies and research on prejudices, intolerance and racialism, and subprogrammes on action against prejudice, intolerance and racism in the fields of education, science, culture and communication and will enable UNESCO to pursue further its examination of the question of intolerance, especially religious intolerance.

55. The programme activities and budget approved for 1984/1985 include provision for various activities in this field. Studies in progress will examine the social, historical or economic factors which result in the identification and categorization of groups, as well as the scope of such theories and paradigms in the social field.

56. On 28 May 1984, on the occasion of the International Day for the Elimination of Racial Discrimination, a public lecture was given at UNESCO headquarters on the concept of tolerance and the role of religion.

57. The Special Rapporteur has requested relevant documentation from UNESCO and hopes to be able to take it into account in her report to be submitted to the Sub-Commission in 1986.

3. Regional intergovernmental organizations

58. The only reply from a regional intergovernmental organization was received from the Organization of American States (OAS), as mentioned earlier. ^{23/}

59. In its reply, OAS cites the provisions of the American Declaration of the Rights of Man (Bogotá, Colombia, 1948), article III on freedom of thought, conscience and religion, and article XXII on the right of association. It also cites relevant provisions of the American Convention on Human Rights (San José, Costa Rica, 1969) on freedom of conscience and religion (art.12), freedom of association (art.16), and freedom of thought and expression (art.13 (3)), and the right to equal protection of the law (art.24).

60. The American Convention entered into force on 18 July 1978 and by 2 January 1985, the date of the reply, the following 18 States had acceded to or ratified the Convention: Argentina, Barbados, Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Peru and Venezuela.

61. The Inter-American Commission on Human Rights has investigated the state of religious freedom in Argentina, Bolivia, Cuba, Guatemala and Nicaragua, and OAS transmits documentation on the subject for information purposes. These materials will be studied with due care when work begins on the substantive report.

D. Replies from non-governmental organizations ^{24/}

62. The eight non-governmental organizations from which information has so far been received have transmitted data and information of great value, which the Special Rapporteur intends to use as a major contribution to the report. The Special Rapporteur considers that non-governmental submissions are of immense value because they comprise data provided by persons or groups of persons who have direct and immediate experience of the impact of intolerance and discrimination in the matter of religion or belief. Such information accordingly provides an essential complement to the information furnished by Governments and intergovernmental organizations and bodies, and provides a means of testing the scope and significance of information obtained from governmental and intergovernmental sources.

63. Eight replies do not represent a large number and are in some cases restricted to just a few relevant aspects. For this reason it is for the moment impossible to provide a fair and balanced outline of the various views of the non-governmental organizations with a knowledge of, and special interest in, this subject. The Special Rapporteur has accordingly decided to wait for other non-governmental contributions which have already been promised before submitting to the Sub-Committee all the observations, opinions and suggestions from non-governmental sources which have been brought to her attention or which she has found for herself in the course of her research in connection with this study. At this stage, the following paragraphs simply provide a straightforward general indication of the contents of the eight replies so far received.

^{23/} Paragraph 20.

^{24/} The dates of the various replies were given in paragraph 23 above.

64. Amnesty International has transmitted a brief introductory note with information on cases of intolerance and discrimination in 15 countries.
65. The Christian Peace Conference has submitted a note proposing measures and activities for inclusion in the section of the report containing recommendations.
66. The Commission of the Churches on International Affairs has transmitted a background paper on religious freedom presented to the World Council of Churches for information by the Commission in August 1980.
67. The World Federation of Trade Unions has submitted a note containing its views on what it considers to be the causes of intolerance and discrimination in the matter of religion and belief.
68. The International Islamic Federation of Student Organizations has transmitted a note containing information on the principles and teachings of the Koran concerning the attitude which should be adopted in accordance with these teachings in relation to one's own religion or belief and the religion or belief of others and the relations between such beliefs or faiths.
69. The International Organization for the Elimination of All Forms of Racial Discrimination (IAFOED) has submitted a note stating that the organization is not competent to deal directly with the question of intolerance and discrimination in the matter of religion or belief. It adds that IAFOED is certainly against intolerance and discrimination, particularly when it is accompanied by violence. Together with the note, IAFOED transmits various material dealing with intolerance and discrimination in the matter of religion or belief prepared by other persons and organizations. 25/
70. The Programme of the Churches for the Implementation of the Helsinki Final Act referred in its reply to five areas of interest to which the organization's activities and practices frequently relate.
71. The Friends' World Committee for Consultation has presented a study on conscientious objection and intolerance and discrimination against persons invoking conscientious objection in connection with compulsory military service in a number of countries.

25/ The material includes formal notes from three organizations and press cuttings from various countries.

- F. Existence and causes of intolerance and discrimination on grounds of religion or belief and recommended measures to combat such intolerance and discrimination, according to the replies received to date
 1. Introductory remarks
 72. It was considered worthwhile including in this progress report the data, opinions and suggestions submitted thus far by a number of Governments and non-Governmental organizations on these questions.
 73. To this end, it was decided for the time being to reproduce, as far as possible, each of the individual contributions in its entirety, in order to give an over-all picture of the situation and to leave the comparative analysis of the substance of the contributions for the final report.
 2. Manifestations of intolerance and discrimination, in the matter of religion or belief: their causes
 74. The replies received from a number of countries make no specific reference to these questions. 26/
 75. Other replies, however, contain specific information on this point or explicit statements to the effect that intolerance or discrimination do not exist in the countries concerned. 27/
 76. The Governments of a number of countries state quite simply that the phenomena of intolerance or discrimination based on religion or belief do not exist in their respective countries. 28/
 77. The Government of Qatar, for example, states that, in Qatar, religious intolerance and discrimination do not exist. 29/ Similarly, the Government of the Syrian Arab Republic says "the problem of intolerance and discrimination based on religion or belief does not exist in Syria". 30/ The Government of the Dominican Republic reports that, "in practice, there is no record of religious minorities or atheists (if there are any) being subjected to discrimination or persecution by the Government. In our country there is no such intolerance or discrimination." 31/
- 26/ Barbados, Chile, Cyprus, Czechoslovakia, Denmark, German Democratic Republic, Mexico, Tonga, United Kingdom.
- 27/ Argentina, Burkina Faso, Burundi, Chad, Dominican Republic, Honduras, Iraq, Pakistan, Peru, Qatar, Syrian Arab Republic and Thailand.
- 28/ Dominican Republic, Honduras, Pakistan, Qatar, Syrian Arab Republic.
- 29/ Information provided on 26 December 1984.
- 30/ Information provided on 8 November 1984.
- 31/ Information transmitted on 5 November 1984.

76. The Government of Honduras states that "intolerance and discrimination based on religion or belief do not exist" in Honduras. 32/

79. The Government of Pakistan says:

"There does not exist any sort of discrimination on the grounds of religion or belief in Pakistan.

"The United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief has received wide publicity through [the] press and other literature." 33/

80. In the information provided by a number of countries, the non-existence of intolerance and discrimination based on religion or belief is attributed to the secular nature of the State or the initiation of a revolutionary process. 34/

81. The Government of Burkina Faso states that, following the initiation of the democratic and popular revolution in that country, "no case of intolerance or discrimination based on religion" has been recorded there. 35/

82. The Government of Chad states that, under article 1 of the Constitution of the Republic, "Chad is a secular Republic and ... consequently all religions may be freely practised and all beliefs freely expressed." 36/ 37/

83. The Government of Burundi states that Burundi is a secular State and "it is common knowledge that freedom of religion and belief may be exercised by any natural or juridical person (of Burundi or foreign nationality) residing in Burundi, and are tolerated within the limits of the law". It adds: "consequently, no case of religious intolerance and no form of religious discrimination as referred to in resolution 1983/31 adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities has occurred in Burundi". 38/

32/ Information provided on 10 December 1984, item C, p. 2.

33/ Information provided on 13 December 1984.

34/ For example, in Burundi and Chad.

35/ Burkina Faso is given as an example.

36/ Information provided on 19 November 1984.

37/ Information transmitted on 13 November 1984.

38/ Information provided on 30 January 1985.

84. In one country, 39/ the non-existence of intolerance or discrimination based on religion or belief is attributed to the genuine belief in tolerance, equality and peaceful co-existence among human beings, which is traditional among the inhabitants of that country. The Government of Thailand states:

"As is well known, the great majority of Thai people is Buddhist, and Buddhism is the religion widely known for its true faith in tolerance, equality and peaceful co-existence among mankind. With these values deeply rooted in its people's conscience, Thailand has never experienced manifestations of intolerance and discrimination in matters of religion or belief throughout its long history as a nation. Regardless of their religions and beliefs, Thai people always live in harmony with a relatively high degree of tolerance among themselves." 40/

85. Finally, a number of Governments, 41/ after stating that neither intolerance nor discrimination based on religion or belief exists at present in their respective countries, consider the question of the possible causes of such phenomena, in one case 42/ in connection with a case of discrimination which occurred recently in that country.

86. The Government of Iraq, after establishing implicitly that no form of discrimination or religious intolerance exists in Iraq, takes up the question of the historical and social causes of religious intolerance and discrimination and ways in which they can be overcome. In that connection, it states:

"In our view, manifestations of intolerance may be attributed to two main factors:

"1. The historical consequences of the colonial period, which helped to foment intolerance and discrimination among communities in order to consolidate the domination of the colonial Power;

"2. Ignorance, economic and cultural backwardness, and the non-existence of rational dialogue among the members of various religions and sects. In addition to the improvement of living standards, which can help to increase cultural understanding, education plays an important role in eliminating intolerance and must be oriented towards the development and dissemination of the principles of human rights and friendship among peoples and religions. This principle has been adopted by Iraq in its programme of studies designed to eradicate religious intolerance." 43/

39/ Thailand.

40/ Information also provided on 30 January 1985.

41/ Argentina, Iraq and Peru.

42/ Argentina.

43/ Information provided on 26 December 1984.

87. The Government of Peru states that it is at present unable to express any view on the causes of discrimination and intolerance in the matter of religion or belief, neither of which phenomena exists in Peru. The Government states:

"Since no case of intolerance or discrimination in the matter of religion or belief has occurred in our country to date, we cannot express any opinion on the matter and, in any event, any such reply would have to be based on thorough and scientific research, with all the necessary information available, as well as on a comparison with other legislations and other situations in various countries where such cases do occur."

"With regard to the educational and other measures adopted for the dissemination of the Universal Declaration of Human Rights, not only have such measures been embodied in the Constitution but legislation has been enacted making instruction on such rights compulsory at the various levels of education, both public and private." 44/

88. The Government of Argentina refers to a recent case of intolerance in that country, and states that such intolerance has now been eliminated:

"The intolerance to which Jehovah's Witnesses were subjected during the eight years of military rule (1976-1983) was attributable to the fact that, because of their refusal to perform military service, bear arms or to honour the national symbols, the military Government regarded them as attempting to undermine national security."

"That policy was condemned by the democratic régime established on 10 December 1983 in Argentina and in the various international forums, where Argentina requested that it be included among the totalitarian ideologies and practices condemned by resolution 38/99 and other similar resolutions of the United Nations General Assembly." 45/

3. Recommendations concerning measures to combat intolerance and discrimination based on religion or belief

89. The information received from various countries contains no suggestions of any kind regarding measures to combat intolerance and discrimination in the matter of religion or belief. 46/ Two of these countries 47/ transmitted statements to the effect that such measures were not required there.

44/ Information provided on 4 December 1984.

45/ Information provided on 20 December 1984.

46/ Barbados, Burkina Faso, Burundi, Chad, Chile, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Honduras, Iraq, Jordan, Mexico, Pakistan, Qatar, Syrian Arab Republic, Tonga, United Kingdom.

47/ Honduras and Pakistan.

90. The Government of Honduras states:

"Since there are no manifestations of intolerance or discrimination in the matter of religion or belief in Honduras, we have no comments to make on parts II and III of the ... [questionnaire]". 48/

91. Similarly, the Government of Pakistan states:

"Since Pakistan, by the grace of God, is not faced with the problem of intolerance and discrimination based on religion, caste, colour or creed, this position of questionnaire is not applicable". 49/

92. With particular reference to the aspects of one's own religion or beliefs and attitudes to the religion or beliefs of others, the Government of Thailand states:

"Most instances of intolerance and discrimination based on religion or belief are attributed to fanaticism and extremism in one's own religion or belief. In order to combat intolerance and discrimination more effectively, moderation in one's own religion or belief and respect for others in the same manner should be given special emphasis in the over-all process of socialization in every society. To this end, any conceivable measures, educational or otherwise, are equally important provided that they are adequately practical and realistic." 50/

93. The Government of Peru envisages in particular the dissemination of the Universal Declaration of Human Rights, suggesting that:

"As to recommendations concerning the various questions raised, we suggest that the Universal Declaration of Human Rights should be disseminated at the governmental and international levels, under the auspices, and if possible with the financing, of the competent organizations. Dissemination should be undertaken by every possible means, both written and oral, as well as through audio-visual media; and its implementation should be encouraged through in-school and out-of-school programmes, in order to reach the most remote areas of the world where human settlements exist."

"We believe that such action would prevent not only the violation of the right to profess a religion or belief, but also the violation of other fundamental and universally-recognized human rights. We know that this is not an easy task, but it is not impossible. With the solidarity and support of all the member countries of the international community, as well as of those which are not yet members, this desire can be made a reality." 51/

48/ Information provided on 10 December 1984.

49/ Information provided on 13 December 1984.

50/ Information transmitted on 30 January 1985.

51/ Information provided on 20 December 1984.

94. Again stressing the dissemination and study of the Universal Declaration of Human Rights, the Government of Argentina states:

"One measure which can be adopted in the educational field is to incorporate the study of the United Nations Universal Declaration of Human Rights in curricula at all levels of education.

"All the mass media can also play a part in disseminating and explaining the Declaration.

"At the international level, any assistance or co-operation in eliminating religious intolerance could be effectively made available under the auspices of the United Nations and the specialized agencies. The non-governmental organizations could also participate in this task." 52/

95. The Government of Iraq suggests the following more far-reaching measures at the international level:

"1. Holding of seminars on the elimination of religious intolerance, under the auspices of the United Nations.

"2. Efforts to transform the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief into an international convention, as was done in the case of the International Convention on the Elimination of All Forms of Racial Discrimination.

"3. Efforts to promote the adoption of a UNESCO declaration on co-operation among religions, along the lines of the Declaration on International Cultural Co-operation of 4 November 1966.

"4. The proclamation of a United Nations decade for action to combat discrimination based on religion or belief, as was done in the case of racial discrimination.

"5. The convening of an international conference on measures to combat discrimination based on religion or belief.

"6. The publication, by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, of studies on the interrelationships between religious intolerance and racial discrimination.

"7. Non-governmental organizations should be urged to hold a conference on the elimination of intolerance and discrimination based on religion." 53/

52/ Information provided on 4 December 1984.

53/ Information provided on 26 December 1984.

96. The Seminar held in December 1984 54/ made recommendations which are set out in paragraph 102 of its report. 55/ In those recommendations it suggested wholly or predominantly international measures (subparagraphs (k) (in part), (l), (m), (n), (o) and (p)), wholly or predominantly national measures (subparagraphs (b), (c), (d), (e) and (g)) and measures clearly falling simultaneously or alternately within both categories (subparagraphs (a), (f), (h), (i), (j), part of (k), and (p)). For the time being, the respective texts are reproduced in the form and order in which they were adopted by the Seminar, since it would be premature to attempt a detailed analysis of their contents in this report.

"The seminar recommends that:

"(a) High priority be given to activities for the implementation of United Nations standards for the protection of freedom of religion or belief and in particular the Universal Declaration of Human Rights, the International Covenants on Human Rights, and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;

"(b) Each State, in accordance with its own constitutional system should provide, if necessary, adequate constitutional and legal guarantees for freedom of religion or belief consistent with the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and of Discrimination Based on Religion or Belief with a view to ensuring that freedom of religion or belief is assured in a concrete manner, discrimination on grounds of religion or belief is proscribed, and that adequate safeguards and remedies are provided against such discrimination;

"(c) States examine the possibility of establishing or designating national institutions charged with the task of promoting tolerance of religion or belief and of combating discrimination;

"(d) Organs and institutions responsible for education and culture include such promotional programmes in their ongoing activities;

"(e) States examine, where necessary, the training of their civil servants and other public officials with a view to providing adequate instruction and guidelines in the exercise of respect for different religions or beliefs in order to preclude discrimination against persons professing different religions or beliefs.

"(f) The spirit of tolerance prevail throughout society, in the family, in the workplace, in education in schools and teaching institutions of all types, from kindergarten to universities. The importance of education for tolerance from the earliest years should be emphasized;

54/ See paragraphs 4 to 15 above.

55/ Report on the Seminar ST/HR/SER.A/16.

"(g) The curricula for educating teachers and tutors for schools and institutions of learning of all types and levels emphasize the importance of human rights and deal with freedom of religion or belief in the context of an understanding of the international instruments on human rights;

"(h) Religious bodies and groups at every level have a role to play in the promotion and protection of religious freedoms or beliefs. They should foster the spirit of tolerance within their ranks and between religions or beliefs. Inter-faith dialogue based on the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief should be pursued at all levels. The seminar also recommends that the text of the Declaration be disseminated to their members as a basis for instruction and that religious bodies consider recommending a common day of prayer or of dedication to the aims set out in the Declaration. Other groups are similarly recommended to consider a day of dedication to the aims of the Declaration;

"(i) A major role in educating society in the spirit of tolerance as regards religion or belief can be played by the mass media - press, radio, television and information agencies. They may disseminate information on the recognition of freedom of religion or belief, convince their audience that tolerance is not only desirable, but also practically possible and that it has a positive effect on the life of the individual and of society in general;

"(j) Individuals everywhere have a right to know of the international standards protecting their rights. The seminar, therefore, recommends that States ensure that the texts of the international instruments, particularly the Universal Declaration of Human Rights and the International Covenants on Human Rights are widely available in national and local languages;

"(k) Adequate publicity for international standards dealing with freedom of religion or belief is also crucial. The seminar recommends that the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief be translated into as many national and local languages as possible and disseminated throughout the world. An urgent action programme should be launched to this effect by the United Nations, specialized agencies especially UNESCO, ILO, regional intergovernmental organizations and non-governmental organizations in consultative status;

"(l) A special publication containing the various international standards relating to freedom of religion or belief should be issued by the United Nations and widely disseminated in as many languages as possible;

"(m) The study under preparation by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the current dimensions of the problems of intolerance and of discrimination on grounds of religion or belief is of the greatest

importance and should be given high priority by the Sub-Commission. In addition to this study, the United Nations University and other academic and research institutions are recommended to undertake a programme of special studies to combat and to eliminate intolerance. As part of this programme, case studies of contemporary manifestations of intolerance and discrimination could be undertaken. Studies on the major religions or beliefs in the world could also be undertaken with the object of providing factual portrayals of the ideals and beliefs of others to believers and non-believers alike and to promote mutual tolerance;

"(n) In the context of the Second Decade to Combat Racism and Racial Discrimination, the seminar recommends that studies also be made of situations where intolerance, denial of religious freedom and discrimination on grounds of religion or belief is linked to discrimination on grounds of race or ethnic or national origin;

"(o) Governments which wish to review, or draft further legislation for the promotion and protection of freedom of religion or belief or for the establishment or development of related national or local institutions are recommended to utilize the advisory services of the Centre for Human Rights. A compendium of the national legislation and regulations of States on the question of freedom of religion or belief with particular regard to the measures taken to combat intolerance in this field would be valuable as a guide and aid to Governments;

"(p) Non-governmental organizations have an important role to play in the promotion and protection of freedom of religion or belief. They may initiate, develop, publish and present proposals on tolerance, on issues of religion or belief. They may also play a valuable role in disseminating international standards, particularly the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;

"(q) The need to develop further international standards for the protection of freedom of religion or belief should be kept under continuing review in the light of experience. While continuing emphasis should be given to the implementation of existing standards, attention could also be given to the question of drawing up an international convention for the promotion and protection of freedom of religion or belief."