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ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE

Report of the Third Committee

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I. INTRODUCTION

1. The General Assembly, at its 2037th plenary meeting, on 23 September 1972, allocated to the Third Committee agenda item 59, entitled "Elimination of all forms of religious intolerance:

"(a) Draft Declaration on the Elimination of All Forms of Religious Intolerance;

"(b) Draft International Convention on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief".

2. The Third Committee considered this item at its 1966th, 1967th and 1969th meetings, between 30 November and 5 December 1972. The summary records of these meetings (A/C.3/SR.1966, 1967 and 1969) contain the views of representatives of Member States on this item.

3. The Committee had before it a note by the Secretary-General (A/8649). It referred to a previous note submitted to the General Assembly at its twenty-sixth session (A/8330) which contained, *inter alia*, details of the action taken on the matter by various organs of the United Nations and by the General Assembly at its twenty-second session when last it considered the item. The following texts were annexed to the note (A/8330):

(a) Preliminary draft of a United Nations Declaration on the Elimination of All Forms of Religious Intolerance, prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (annex I)

(b) Report of the Working Group set up by the Commission on Human Rights at its twentieth session to prepare a draft Declaration on the Elimination of All Forms of Religious Intolerance (annex II)

(c) Preamble and 12 articles of the draft International Convention on the Elimination of All Forms of Religious Intolerance, adopted by the Commission on Human Rights at its twenty-first, twenty-second and twenty-third sessions (annex III)

(d) Additional draft article submitted by Jamaica to the Commission on Human Rights (annex IV)

(e) Draft article XIII submitted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to the Commission on Human Rights (annex V)

(f) Preliminary draft on additional measures of implementation transmitted to the Commission on Human Rights by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (annex VI).

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II. PROCEEDINGS IN THE THIRD COMMITTEE

A. Draft resolution and amendments

4. At the 1966th meeting, on 30 November, the representative of Sweden, on behalf of the Netherlands, Sweden and Uruguay, submitted a draft resolution (A/C.3/L.1980). Subsequently Costa Rica, Cyprus, Honduras and Iceland joined as sponsors. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 1781 (XVII) of 7 December 1962 and 2020 (XX) of 1 November 1965,

"Affirming the continued importance of adopting both a Declaration and an International Convention on the Elimination of All Forms of Religious Intolerance,

"Convinced of the need to give new momentum to this work by initially concentrating on the completion of one of these instruments,

"Noting that the consideration of this item has been deferred at each session without proper discussion since its twenty-second session,

"1. Decides to accord priority to the completion of the Declaration on the Elimination of All Forms of Religious Intolerance before resuming the consideration of the International Convention on this subject;

"2. Requests the Secretary-General to transmit to States Members of the United Nations and of the specialized agencies (a) the preliminary draft of a United Nations Declaration on the Elimination of All Forms of Religious Intolerance prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (A/8330, annex I); and (b) the report of the Working Group set up by the Commission on Human Rights at its twentieth session to prepare a draft Declaration on the Elimination of All Forms of Religious Intolerance (A/8330, annex II);

"3. Invites Governments to transmit to the Secretary-General their observations on the above-mentioned documents;

"4. Requests the Secretary-General to submit the observations received, together with an analytical presentation, to the General Assembly at its twenty-eighth session;

"5. Decides to give priority at its twenty-eighth session to the completion of a Declaration on the Elimination of All Forms of Religious Intolerance with a view to the adoption of such a Declaration as part of the observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights."

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5. In the light of the debate, the sponsors of the draft resolution orally revised the text as follows:

(a) The words "and 2295 (XXII) of 11 December 1967" were added at the end of the first preambular paragraph;

(b) The second preambular paragraph was revised to read as follows:

"Affirming the equal importance of both a Declaration and an International Convention on the Elimination of All Forms of Religious Intolerance,";

(c) The sponsors of the draft resolution agreed to a proposal by Morocco to replace in operative paragraph 5 the word "completion" by the word "elaboration" and to add after the word "adoption" the words "if possible".

6. At the 1967th meeting, on 1 December, the representative of the Union of Soviet Socialist Republics introduced a number of amendments (A/C.4/L.1985) to the draft resolution, which read as follows:

(1) Amend the second preambular paragraph to read:

"Affirming the importance of preparing an International Convention on the Elimination of All Forms of Religious Intolerance and a Declaration on that subject,"

(2) Amend operative paragraph 1 to read:

"1. Decides to continue work on the preparation of an International Convention on the Elimination of All Forms of Religious Intolerance and to consider the question of the advisability of preparing a Declaration on that subject;"

(3) Amend operative paragraph 2 to read:

"2. Requests the Secretary-General to transmit to States Members of the United Nations the draft International Convention on the Elimination of All Forms of Religious Intolerance and the preliminary draft of a Declaration on that subject, for their observations and comments;"

(4) Replace operative paragraph 4 by the following text:

"4. Requests the Commission on Human Rights and the Economic and Social Council to consider the preliminary draft Declaration in the light of the observations received from Governments and to submit proposals on that question to the General Assembly;"

(5) Amend operative paragraph 5 to read:

"5. Decides to continue at its twenty-eighth session work on the preparation of an International Convention on the Elimination of All Forms of Religious Intolerance and to consider the question of the advisability of preparing a Declaration on that subject."

B. Voting

7. At its 1969th meeting, on 5 December, the Committee voted on the amendments to the draft resolution (A/C.3/L.1985). The results of the voting were as follows:

(a) The first amendment was rejected by 43 votes to 32, with 33 abstentions.

(b) At the request of Turkey, a separate vote was taken on the words "of the advisability" in the second amendment. The words were retained by 23 votes to 2, with 68 abstentions.

(c) At the request of the Netherlands, a vote by roll call was taken on the second amendment. The second amendment was rejected by 37 votes to 29 with 41 abstentions. The voting was as follows:

In favour: Algeria, Bahrain, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Guinea, Hungary, India, Iraq, Lebanon, Libyan Arab Republic, Mongolia, Oman, Poland, Qatar, Romania, Saudi Arabia, Sudan, Syrian Arab Republic, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Yemen.

Against: Argentina, Australia, Austria, Belgium, Brazil, Canada, Costa Rica, Cyprus, Denmark, El Salvador, Fiji, Finland, France, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Lesotho, Madagascar, Malaysia, Maldives, Netherlands, New Zealand, Nicaragua, Norway, Panama, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Afghanistan, Barbados, Botswana, Burma, Burundi, Cameroon, Chad, Colombia, Ecuador, Ethiopia, Ghana, Guyana, Indonesia, Iran, Ivory Coast, Kenya, Khmer Republic, Kuwait, Laos, Liberia, Mali, Mexico, Morocco, Nepal, Nigeria, Pakistan, Peru, Philippines, Sierra Leone, Singapore, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia.

(d) The third amendment was rejected by 38 votes to 29, with 32 abstentions.

(e) The fourth amendment was rejected by 38 votes to 29, with 33 abstentions.

(f) The fifth amendment was rejected by 37 votes to 28, with 34 abstentions.

8. At the same meeting, the Committee voted on draft resolution A/C.3/L.1980, as orally revised (see para. 5 above). At the request of the Union of Soviet Socialist Republics, a separate vote was taken on operative paragraphs 1, 2 and 5. The results of the voting were as follows:

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(a) The preamble, as revised, was adopted by 73 votes to none, with 28 abstentions.

(b) Operative paragraph 1 was adopted by 63 votes to 19, with 19 abstentions.

(c) Operative paragraph 2 was adopted by 69 votes to 9, with 24 abstentions.

(d) Operative paragraph 5, as revised, was adopted by 64 votes to 13, with 26 abstentions.

(e) The draft resolution (A/C.3/L.1980) as a whole, as revised, was adopted by 73 votes to none, with 31 abstentions (see para. 9 below).

III. RECOMMENDATION OF THE THIRD COMMITTEE

9. 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 its resolutions 1781 (XVII) of 7 December 1962, 2020 (XX) of 1 November 1965 and 2295 (XXII) of 11 December 1967,

Affirming the equal importance of both a declaration and an international convention on the elimination of all forms of religious intolerance,

Convinced of the need to give new momentum to this work by initially concentrating on the completion of one of these instruments,

Noting that the consideration of this item has been deferred at each session of the General Assembly without proper discussion since the twenty-second session,

1. Decides to accord priority to the completion of the Declaration on the Elimination of All Forms of Religious Intolerance before resuming consideration of the International Convention on this subject;

2. Requests the Secretary-General to transmit to States Members of the United Nations or members of specialized agencies:

(a) The preliminary draft of a United Nations Declaration on the Elimination of All Forms of Religious Intolerance prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities; 1/

1/ A/8330, annex I.

(b) The report of the Working Group set up by the Commission on Human Rights at its twentieth session to prepare a draft Declaration on the Elimination of All Forms of Religious Intolerance; 2/

3. Invites Governments to transmit to the Secretary-General their observations on the above-mentioned documents;

4. Requests the Secretary-General to submit the observations received, together with an analytical presentation, to the General Assembly at its twenty-eighth session;

5. Decides to give priority at its twenty-eighth session to the elaboration of a Declaration on the Elimination of All Forms of Religious Intolerance with a view to the adoption, if possible, of such a Declaration as part of the observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights.

2/ A/8330, annex II.