

2012th meeting

Wednesday, 31 October 1973, at 3.20 p.m.

Chairman: Mr. Yahya MAHMASSANI (Lebanon).

A/C.3/SR.2012

AGENDA ITEM 55

Elimination of all forms of religious intolerance (*continued*) (A/8330, A/9134 and Add.1 and 2, A/9135, A/C.3/L.2027-2030):

- (a) **Draft Declaration on the Elimination of All Forms of Religious Intolerance: report of the Secretary-General (*continued*) (A/8330, A/9134 and Add.1 and 2, A/9135, A/C.3/L.2027-2030);**
- (b) **Draft International Convention on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (*continued*) (A/8330)**

1. Mr. OLIPHANT (Botswana) said that the principles set forth in the draft Declaration were in line with the Constitution of the Republic of Botswana, section 11 (1) of which provided full guarantees against discrimination based on religion. Other laws protected religious organizations which, for example, were required to register with the Government—mainly for the purpose of safeguarding their property. The enjoyment of those freedoms should be understood to be subject to the limitations embodied in article XII of the draft Convention.

2. The CHAIRMAN, after announcing that consultations were being held concerning the manner in which the Committee should deal with the item, suggested that members might begin their consideration of the articles of the draft Declaration, bearing in mind the difficulty posed by the fact that the Committee had before it several texts at the same time.

3. Mr. ZENKYAVICHUS (Union of Soviet Socialist Republics), speaking on a point of order, said that the preamble should be considered before the articles, because it provided the orientation and principles for the Declaration. His delegation considered that the preamble (see A/8330, para. 19)¹ of the draft Convention, adopted by the Third Committee, would be acceptable, and asked that that text should be circulated.

4. Moreover, the title of the draft Declaration was not in keeping with the aims or content of the text, as it referred only to religious intolerance. Reference had been made to that question in the observations submitted by some Governments, and in that connexion the comments of Austria (see A/9134) should be mentioned. The draft Declaration should include provisions guaranteeing the right not to profess a religion or to be an atheist.

5. The draft Declaration should also ensure that religious beliefs were not allowed to be used to harm the State or impair the health or rights of other citizens, or encourage citizens not to fulfil their political responsibilities and obligations; that provision would be in

keeping with the spirit of article 18 of the International Covenant on Civil and Political Rights. To that end, he proposed that the text should include the following provision:

“Recognizing that all churches and movements should have equal guarantees of complete freedom; none may be the object of special privileges or hold a privileged position. All acts designed to interfere with freedom of religion shall be prohibited. Freedom of religion or belief or atheistic convictions shall not be used for political purposes or to incite hatred.”

He hoped that a majority of delegations would support those proposals, so that the document could serve the interests of believers and non-believers.

6. The CHAIRMAN invited the Committee to consider, paragraph by paragraph, the preamble of the draft Declaration submitted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (A/8330, annex I),² as contained in paragraph 7 of document A/9135.

First and second preambular paragraphs

7. Mrs. WARZAZI (Morocco) recalled that Canada had proposed the insertion of the word “sex” after the word “colour” in the second paragraph. Her delegation agreed with that proposal.

8. Mrs. BONENFANT (Canada) said that her delegation intended to submit an amendment³ in that regard.

Third and fourth preambular paragraphs

9. Mr. LOSHCININ (Byelorussian Soviet Socialist Republic) said that the Committee was moving too quickly from one paragraph to another and recalled that a proposal had been made to circulate the draft preamble adopted by the Third Committee in order to simplify the proceedings. With regard to the fourth preambular paragraph the doubts expressed in the Committee with regard to the right to change religion persisted.

10. The CHAIRMAN recalled that the Committee had decided to take the text of the draft Declaration which appeared in document A/9135 as the basis for the debate.

11. Mr. VAN WALSUM (Netherlands) expressed surprise at the complete agreement which appeared to exist between the delegations of Saudi Arabia and the socialist countries in the current debate. In his view, the remark made concerning change of religion had already been refuted by the Irish delegation at the 2010th meeting, for although it was acknowledged that missions had at times behaved in a deplorable manner and that there had been links between Christian churches and colo-

¹ For the printed text, see *Official Records of the General Assembly, Twenty-second Session, Annexes*, agenda item 54, document A/6934, para. 72.

² For the printed text, see *Official Records of the Economic and Social Council, Thirty-seventh Session, Supplement No. 8*, para. 294.

³ Subsequently circulated in document A/C.3/L.2031.

nialism, there were current activities in progress which, even if they did not reverse the previous situation, were at least oriented very differently, as the case of the World Council of Churches illustrated. With reference to the statement made at the 2009th meeting by the representative of Saudi Arabia that only the Christian churches attempted to convert the faithful of other religions, so that the provision relating to change of religion would benefit only those churches, he cited the statement made by Mr. Zafrullah Khan of Pakistan, at the 182nd plenary meeting of the General Assembly, during its third session, in which the latter had asserted that the Moslem religion was a missionary religion.

Fifth preambular paragraph

12. Mr. SMIRNOV (Union of Soviet Socialist Republics) suggested the following text for the fifth paragraph:

“*Considering* that the disregard and infringement of human rights and fundamental freedoms, and in particular of the right to freedom of thought, conscience, religion or belief have brought, directly or indirectly, wars and great suffering to mankind, especially when manifestations of religion or belief had served and are still serving as a means or as an instrument of foreign interference in the internal affairs of other States and peoples.”

Those elements would broaden the scope of the fifth preambular paragraph.

13. Mr. VON KYAW (Federal Republic of Germany), referring to the Soviet proposal, said it was conceivable that religious beliefs had served as a motive for interference by one State in the internal affairs of another State, but the same could also be said of ideologies. If all those concepts were to be taken into account, it would mean entering into a field too wide for the aims of the Declaration.

14. Mr. VALDERRAMA (Philippines) supported the amendment proposed by the USSR, subject to certain modifications. In document A/9134, the Philippines had expressed its belief that it was necessary adequately to ensure the protection of a State against foreign incursions which might be in the guise of religious activities.

15. Miss CAO PINNA (Italy) felt that the main objective of the Declaration should be to reaffirm and broaden the meaning of article 18 of the Universal Declaration of Human Rights, but the amendment submitted by the Soviet Union seemed to attempt to introduce extraneous concepts into the Declaration, as the Government of Italy had already mentioned in paragraph 4 of its reply, which appeared in document A/9134/Add.1. She referred in particular to the assertions regarding supposed attempts to make religion an instrument of foreign interference in the internal affairs of a State or to use it for internal political purposes. Her delegation had doubts about the relevance of the Soviet amendment and urged that delegation to reconsider its position and not to submit that text as a formal proposal.

16. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that he had submitted his proposal with the best of motives in mind and could not withdraw it.

17. Mrs. WARZAZI (Morocco) said that she understood the significance of the Soviet amendment, but considered that the first and second parts of the para-

graph as drafted were not consistent with each other. It was impossible first to defend freedom of religion and then to oppose it with the argument that such freedom would be a cause of wars and the like. For that reason, and without thereby committing her delegation to support of the amendment, she considered that it should be worded differently. She accordingly proposed the following wording: “*Noting* that the disregard of human rights and fundamental freedoms, and in particular of the right to freedom of thought and conscience (or of religion and belief) has brought . . .”.

It was not fitting to emphasize freedom of religion and belief and, immediately afterwards, in the same paragraph, to speak of interference in the internal affairs of States.

18. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that he was prepared to give careful consideration to the suggestion made by the representative of Morocco, but emphasized that the Soviet proposal pointed out that disregard for human rights and the violation of fundamental freedoms had been the direct cause of wars and human suffering.

Sixth preambular paragraph

19. Mr. SMIRNOV (Union of Soviet Socialist Republics) proposed that the following words should be inserted immediately before the sixth paragraph: “*Considering* that religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life, and that freedom of religion or belief should be fully respected and guaranteed.”.

20. In addition, he suggested that the sixth paragraph should be replaced by the following:

“*Considering* it essential that Governments should strive to promote through education, as well as by other means, understanding, tolerance and respect in matters relating to freedom of religion and belief, and to combat any exploitation or abuse of religion or belief for political or other ends inconsistent with the purpose and principles of the present Declaration.”.

Seventh preambular paragraph

21. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that, in the preamble, it should be indicated that a whole series of documents and instruments relating to various forms of discrimination had been adopted within the United Nations system, in particular the International Covenants on Human Rights. Although he had no precise wording to propose in that connexion, the wording of the new passage should be more or less the following: “*Noting with satisfaction* the adoption of several international declarations and conventions, in particular the International Covenants on Human Rights, for the elimination of various forms of discrimination.”.

22. Mr. CATO (Ghana) said that the passage under consideration appeared to be somewhat superfluous, since the ideas in it were already expressed in the first preambular paragraph. There was no doubt that one of the fundamental objectives of the United Nations was the promotion of human rights and religious tolerance. Consequently, he suggested that that paragraph should be deleted.

23. Mr. AL-QAYSI (Iraq) said that, as it was currently worded, the seventh paragraph should not be includ-

ed in the preamble. If it merely repeated what had already been expressed in the first paragraph, it was superfluous, as had been pointed out by the representative of Ghana; if it was meant to express some subtly different idea, the wording would have to be amended. In the latter case, the text should follow the guidelines of the Charter, which made no reference to the building of a world society. He proposed that, in order to avoid repetition of what was said in the first preambular paragraph and to adhere to the guidelines of the Charter, the seventh paragraph should read: “*Convinced* that the building of a world free from all forms of religious intolerance is in conformity with the fundamental objectives of the United Nations Charter,”.

24. Mr. LOSHCHININ (Byelorussian Soviet Socialist Republic) said that he understood the purpose of the seventh paragraph to be to refer to the building of a world society free from all forms of religious intolerance; Article 1 of the Charter, however, did not mention that as one of the fundamental objectives of the United Nations. Consequently, he suggested that the paragraph in question should be deleted.

25. Mr. AL-QAYSI (Iraq) proposed that, in the light of the observation made by the representative of the Byelorussian SSR, the seventh paragraph should read: “*Convinced* that the building of a world free from all forms of religious intolerance is in conformity with the fundamental objectives of the United Nations,”.

26. Mrs. WARZAZI (Morocco) pointed out that Morocco had proposed an amendment (see A/C.3/L.2029) to the title of the Declaration and that the Committee should reach some decision on that point. In the light of that amendment, Morocco would submit others relating to the sixth and seventh preambular paragraphs, which, as a result, would refer not to religious intolerance, but to intolerance in respect of religion or belief. Consequently, she felt that it would be appropriate to consider her amendment to the title.

27. Mr. LOSHCHININ (Byelorussian Soviet Socialist Republic) said that the observation of the representative of Morocco was well taken and that the amendments should be taken into account in the first reading. Although he was not opposed in principle to the amendment to the title proposed by the Moroccan delegation, perhaps that delegation would be willing to accept the following title: “Draft declaration on the elimination of all forms of intolerance and discrimination based on religion or belief”. He pointed out that that wording had been accepted at the twenty-second session of the General Assembly.

28. Mr. OVSYUK (Ukrainian Soviet Socialist Republic) said that he had some reservations with regard to the seventh preambular paragraph since it included a number of vague phrases, such as “the building of a world society”. Furthermore, he shared the view expressed by the representative of the Byelorussian Soviet Socialist Republic that it was not in conformity with the purposes outlined in the Charter. Consequently, he proposed that that paragraph should be replaced by the following text:

“*Considering* that one of the basic principles of the Charter of the United Nations is that of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action in co-operation with the Organi-

zation to promote and encourage universal and effective observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,”.

He hoped that that wording would help to resolve the difficulties.

29. Mr. CATO (Ghana) asked the representative of the Ukrainian Soviet Socialist Republic what difference there was between the text he had proposed for the seventh paragraph and that of the first preambular paragraph.

30. Mr. OVSYUK (Ukrainian Soviet Socialist Republic) said that the new text of the seventh paragraph would be a refinement of the ideas expressed in the first preambular paragraph, bringing it into conformity with the Charter and other documents of the United Nations, and would give the correct orientation to the subsequent paragraphs.

31. Mrs. WARZAZI (Morocco) said that, if the Committee wished to retain the seventh preambular paragraph, it should be reworded to read: “*Convinced* that the building of a world society free from all forms of religious intolerance, in particular for reasons of race, colour, sex, language, religion or belief, is one of the fundamental objectives of the United Nations,”. That text might be acceptable to the majority.

32. Mr. BAROODY (Saudi Arabia), alluding to the reference that the representative of the Netherlands had made to the statement by Zafrullah Khan at the third session of the General Assembly in order to demonstrate that the Islamic religion engaged in missionary activities, pointed out that Zafrullah Khan was the leader of a very small sect of scarcely 10,000 members, compared with the 650 million members of the Muslim religion. Islam had no missionaries to propagate its beliefs; consequently, it was not fair that other religions should engage in such activities.

33. He objected to the remark that his outlook was similar to that of the socialist countries; that observation was unjustified since his opinions were reached quite independently. Ideologies should not enter into the Committee’s consideration of the matter before it, although unfortunately, when the time came to vote, States would vote according to their affinity with specific ideological groups and not according to the merits of the draft Declaration.

34. The Third Committee should complete the drafting of the Declaration at the current session and should not refer it yet again to the Economic and Social Council and to the Commission on Human Rights, in view of the considerable effort, time and funds which had gone into its preparation. The best course was for a vote to be taken on the draft Declaration and, if it received the approval of the majority, for those States which considered it relevant to implement its provisions.

35. After an exchange of views in which Mr. BAROODY (Saudi Arabia), Mrs. WARZAZI (Morocco) and Mr. VAN WALSUM (Netherlands) took part, the CHAIRMAN said that in the past the Third Committee had allowed some latitude to speakers making statements on items, but that he felt it his duty to appeal for co-operation so that as much progress as possible could be made at the current meeting.

New preambular paragraphs

36. Mr. SMIRNOV (Union of Soviet Socialist Republics) proposed two new paragraphs designed to make the preamble more clear and concise and to bring it into line with article 18 of the International Covenant on Civil and Political Rights. The first of the new paragraphs would read: “*Convinced* that the right to freedom of religion or belief should not be abused so as to impede any measures aimed at the elimination of colonialism and racialism,”.

37. The second new paragraph would read: “*Considering* that freedom of religious and non-religious belief, and the rights and duties of persons of different beliefs, should not be used for purposes of political or electoral campaigns or the kindling of hatred between peoples and different religious and national groups,”.

38. His delegation considered that the provisions of the eighth paragraph were incomplete, since they did not cover political and electoral campaigns.

Title

39. The CHAIRMAN announced that the Committee had completed its consideration of the preamble of the Declaration and that it would proceed to consider the title and the amendment thereto submitted by Morocco (see A/C.3/L.2029).

40. Mrs. WARZAZI (Morocco) observed that, according to paragraph 18 of document A/8330, the Third Committee, at a previous stage in the consideration of the draft Convention, had felt it desirable to change the title.⁴ Yet, surprisingly, the draft Declaration had reappeared in document A/8330 with its original title, and not the amended version. In order to bring the title of the Declaration into line with article 18 of the Universal Declaration of Human Rights, her delegation proposed the following wording: “*Draft International Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*”.

Article I

41. The CHAIRMAN invited comments on article I of the draft Declaration, as it appeared in paragraph 10 of document A/9135.

42. Mr. OVSYUK (Ukrainian Soviet Socialist Republic) proposed an amendment, to be found in his Government’s observations in document A/9134, to the text prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Under the amendment, article IV of the Sub-Commission’s draft would become article I; the word “other” would be added before the word “belief”, and the words “including an atheistic belief” would be added after the word “belief”. Article I of the Sub-Commission’s text should be deleted, since it went far beyond the scope of the Declaration.

43. Mr. ABSOLUM (New Zealand) said that his country thought that the article should use the corresponding text prepared by the Working Group of the Commission on Human Rights (see A/8330, annex II),⁵

⁴ See *Official Records of the General Assembly, Twenty-second Session, Annexes*, agenda item 54, document A/6934, para. 26.

⁵ For the printed text, see *Official Records of the Economic and Social Council, Thirty-seventh Session, Supplement No. 8*, para. 296.

as amended by the Netherlands (A/C.3/L.2027). He agreed that the words “to any religious or non-religious” in square brackets should be deleted, since there was no need to define the terms religion or belief, which were well understood within the United Nations. At all events, if a definition was desired, his delegation would not object and would suggest that it should read: “The term ‘religion or belief’ shall include theistic, agnostic and atheistic beliefs or convictions.”⁶

44. Mr. GRAEFRATH (German Democratic Republic), referring to article I of the text proposed by the Working Group (see A/8330, annex II), wondered why the following wording was included in the second sentence: “This right shall include freedom to adhere or not to adhere to any religion or belief”. There was an obvious disparity compared with article 18 of the Universal Declaration of Human Rights, which mentioned only the right to change a religion or belief. His delegation felt that the difference of wording was crucial, since the draft Declaration reflected a passive approach. Similarly, article 18 of the International Covenant on Civil and Political Rights did not use the words “to adhere or not to adhere”, but stated only that “this right shall include freedom to have or to adopt a religion or belief of his choice”. That wording in the Covenant clearly indicated an active approach to religion or belief, an approach which was much more in keeping with the notion of freedom, inasmuch as freedom of religion should not be taken to justify the concept of being born into a religion, since that excluded any freedom of choice.

45. Consequently, his delegation would prefer the second sentence of article I to read: “This right shall include the freedom to have or to adopt a religion or belief of his choice . . .”, using the words of the International Covenant on Civil and Political Rights; he reserved the right to submit a formal amendment to the article at a later stage.⁷

46. His delegation was still pondering the suggestion made by the representative of Saudi Arabia to the effect that it was necessary to define what kind of religion or belief was meant in the draft. If a distinction was drawn between thought and conscience, on the one hand, and religion and belief on the other, it was obviously necessary to know what was meant by “religion” in relation to the other terms, or at least to know what was not meant. Unfortunately, the draft Declaration remained totally silent on that important question and he wondered whether religion was to be taken to be what any individual felt was a religion or belief. For example, the Nazi concept of a “master race” could not be accepted as a religion or a belief—that position was in keeping with many United Nations resolutions and decisions. It was also important to ensure that the Declaration did not provide an invitation to Governments which tolerated *apartheid* to justify their position on the ground that it was a religion or a belief.

47. The Austrian Government, in its observations reproduced in document A/9134, said that the word “belief” was not to be interpreted as embracing every philosophy, but only such philosophies or beliefs as were transcendental in character. His delegation stressed that it could in no way accept such an interpretation, which it felt was to a certain extent discrimina-

⁶ Text subsequently circulated in document A/C.3/L.2034.

⁷ Text subsequently circulated in document A/C.3/L.2033.

tory and conflicted with the first sentence of the draft Declaration.

48. On the other hand, he welcomed the Netherlands proposal (see A/C.3/L.2027) that article I should specify that the expression "religion or belief" should include theistic, non-theistic, and atheistic beliefs, although his delegation would prefer in that context the words "theistic and non-theistic beliefs and atheistic convictions"—a proposal which was very close to that submitted by the delegation of the Ukrainian SSR.

49. Mrs. WARZAZI (Morocco) said that her delegation had some difficulty with the Netherlands amendment (see A/C.3/L.2027). Actually, it preferred the Working Group's text, since the amendment included the words "theistic, non-theistic and atheistic beliefs" along with the word "religion", and a religion could not be called atheistic. It would be simpler to say: "This right shall include freedom to adhere or not to adhere to any religion, religious belief or conviction", removing the square brackets, since conviction clearly included philosophies which were non-theistic and atheistic. Thus, provided reference was made to religion, the words "religious belief or conviction" would be added.

50. Mr. VAN WALSUM (Netherlands) said he still felt that the most sensible thing would have been to continue with the decision to base the examination of the draft Declaration on the text prepared by the Working Group at the twentieth session of the Commission on Human Rights (see A/8330, annex II).

51. It was relevant to recall that the draft Declaration being prepared was designed to establish a proper balance in protecting those who practised a religion and non-believers, and to take account of the rights both of those who believed and of those who did not. No attempt should be made to give one group superiority over another, and advocacy of tolerance should include non-believers. The goal was a world free from fear of discrimination on grounds of religion or belief.

52. The Ukrainian SSR representative had referred to theistic propaganda. In many languages the word "propaganda" had a pejorative meaning, but possibly the word should be regarded in the original sense it had in Latin, embodying the idea of disseminating or propagating doctrines and credos. The German Democratic Republic had raised the difficult and pertinent question of the extent to which any belief or conviction might be acceptable. He could not agree with the Austrian view in document A/9134 that the word "belief" was to be interpreted as embracing only such philosophies or beliefs as were transcendental in character.

53. Mr. BUCHANAN (United States of America) said that although his delegation had indicated its position in document A/9134/Add.1 concerning the Working Group's text, it was willing to consider and support alternatives in the interests of achieving an agreed text. In article I of the Working Group's text, the expression "religion or belief" seemed to define the Declaration's coverage adequately. The same expression occurred in article 18 of the Universal Declaration of Human Rights and in article 18 of the International Covenant on Civil and Political Rights. His delegation was also willing to support the Netherlands amendment to article I (see A/C.3/L.2027). The United States Government had opposed specific references to atheism as being out of

place in a document whose purpose was to protect religious belief; but it had yielded on that point when the draft Convention had been considered in previous years, and it was prepared to do so again in the case of the draft Declaration. He would therefore vote in favour of article I of the Working Group's text, as amended by the Netherlands in document A/C.3/L.2027.

54. Mr. BADAWI (Egypt) considered that at the first reading his delegation would confine itself to suggestions rather than amendments. Article I of the Working Group's text spoke of "the right". But every right presupposed an obligation; and he would like to see some reference in the article to the laws, norms and traditions prevalent in society. He also associated himself with the comments made by the representative of Morocco on the article.

55. Mrs. WARZAZI (Morocco) proposed the following subamendment to the Netherlands amendment (see A/C.3/L.2027): "The word religion shall include non-theistic and atheistic beliefs."

56. The CHAIRMAN said that at the next meeting the Committee would study the text prepared by the Working Group of the Commission on Human Rights (see A/8330, annex II) and that document A/9135 would be used as a guide in respect of the corresponding articles of the preliminary draft prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (*ibid.*, annex I). The relationship between the articles prepared by the Working Group and the corresponding passages of the Sub-Commission's preliminary draft was the following: article I of the Working Group text corresponded to article IV of the Sub-Commission's; article II to article I; article III, paragraph 1, to article II; article III, paragraph 2, to article III, paragraph 2; article IV, paragraph 1, to article II; article IV, paragraph 2, to article III, paragraph 1; and articles V and VI to articles V and VI.

CONSIDERATION OF A DRAFT RESOLUTION (A/C.3/L.2030)

57. Mr. KARASSIMEONOV (Bulgaria), introducing draft resolution A/C.3/L.2030 sponsored by his delegation and that of Guinea, said that the draft was not based on his delegation's position alone, since there was a considerable weight of opinion in favour of continuing work on the draft Declaration in the appropriate forum, even though complete agreement had not been reached in the consultations held thus far. However, it was not intended that the draft resolution should prejudge the outcome of the article-by-article examination being carried out by the Committee.

58. The CHAIRMAN announced that the time-limit for the submission of amendments would be extended until 1 p.m. on the following day.

59. Mr. VAN WALSUM (Netherlands) said that in his reference to the statement by the Saudi Arabian representative he had not meant to be controversial; he had merely felt that it was an overstatement to say that missions had brought only evil, and he had been surprised to find the Saudi Arabian view endorsed by the delegations of the Soviet Union, the Ukrainian SSR, and the Byelorussian SSR. One of those delegations had said that currently more people were giving up Christianity than were being converted to it, which

indicated that the paragraph on freedom to change religion could not favour Christianity. Freedom to change religion was a fundamental right, and it was better that men should have the right to change their beliefs than that they should be obliged to live a lie. With regard to his delegation's amendments, the intention was not to add one more document to those which the Committee already had before it, but to rally to the Egyptian representative's view that the work should not be based on one country's draft alone. With that in mind, his delegation had submitted its proposals as amendments to the Working Group's text.

60. Mr. COSTA COUTO (Brazil) said that he was in consultation with the socialist countries with a view to submitting a draft resolution, and he had therefore been surprised when document A/C.3/L.2030 was distrib-

uted. His delegation's intention was that the consultations, which were supported by the delegation of Trinidad and Tobago, should culminate in a draft which would win majority support. The proposed text was incomplete, and it was essential to bear in mind the will of the majority to revert to the topic in the Third Committee at the next session of the General Assembly. He was sure that following the consultations, substantial changes would be made in the wording of the draft resolution, and that it would then have the support of most delegations.

61. The CHAIRMAN welcomed the consultations and recalled that the time-limit for submitting amendments had been extended until 1 p.m. on the following day.

The meeting rose at 6.15 p.m.

2013th meeting

Thursday, 1 November 1973, at 10.45 a.m.

Chairman: Mr. Yahya MAHMASSANI (Lebanon).

A/C.3/SR.2013

AGENDA ITEM 55

Elimination of all forms of religious intolerance (continued) (A/8330, A/9134 and Add.1 and 2, A/9135, A/C.3/L.2027-2034):

- (a) **Draft Declaration on the Elimination of All Forms of Religious Intolerance: report of the Secretary-General (continued)** (A/8330, A/9134 and Add.1 and 2, A/9135, A/C.3/L.2027-2034);
- (b) **Draft International Convention on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (continued)** (A/8330)

1. The CHAIRMAN invited members to resume their consideration, article by article, of the text of the articles prepared by the Working Group established by the Commission on Human Rights (see A/8330, annex II),¹ beginning with article II.

Article II

2. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) said that article II went beyond the aims and principles of the draft Declaration. His delegation proposed its deletion and replacement by the text appearing in paragraph 14 of document A/9135.

3. Mr. VAN WALSUM (Netherlands) said he understood that the text proposed by the representative of the Ukrainian SSR would provide for the separation of the Church from schools and from the State, and for the equality before the law of all churches and religious creeds. He asked whether the proposed text was meant to provide for full equality of all convictions, whether of a religious or a non-religious nature, and not merely religious convictions.

¹ For the printed text, see *Official Records of the Economic and Social Council, Thirty-seventh Session, Supplement No. 8*, para. 296.

4. Mr. BUCHANAN (United States of America) said that his delegation could accept article II as worded in the Working Group's text. However, it had no objection to the amendment to that article submitted by the Netherlands in document A/C.3/L.2027, which included a reference to the International Covenants on Human Rights. The main reference to religious freedom in the Covenants was in article 18 of the International Covenant on Civil and Political Rights. Moreover, under article 2 of the International Covenant on Economic, Social and Cultural Rights and article 2 of the International Covenant on Civil and Political Rights, States parties undertook to guarantee all rights enunciated in the Covenants without regard to religion. It might be useful to refer specifically to those articles of the Covenants in article II of the draft Declaration.

5. Mr. LOSHCHININ (Byelorussian Soviet Socialist Republic) said he supported the Ukrainian proposal for the replacement of article II by a new text. If delegations wished to retain the existing draft article II, he proposed that the Ukrainian text should be included as a separate article, and that the Working Group's text of article II should be amended to read: "Discrimination between human beings on the ground of religion or belief is inadmissible and shall be condemned as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and confirmed in the International Covenants on Human Rights."

6. Mr. VON KYAW (Federal Republic of Germany) said his delegation supported the Working Group's version of article II and could also support the amendment by the Netherlands (see A/C.3/L.2027). The text proposed by the Ukrainian SSR might create problems in practice, since the separation of the Church from the State and from schools was not always clear-cut. His delegation preferred the more general approach to the