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**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND
ALL FORMS OF DISCRIMINATION**

**Combating defamation of religions as a means to promote human
rights, social harmony and religious and cultural diversity**

Report of the High Commissioner for Human Rights*

* In accordance with paragraph 8 of General Assembly resolution 53/208 B, the late submission of this report is necessitated by the need to reflect the latest information available.

Executive summary

This report of the High Commissioner for Human Rights is submitted in accordance with Commission on Human Rights resolution 2002/9 on combating defamation of religions. The resolution calls upon the High Commissioner for Human Rights to promote and include human rights aspects in the dialogue among civilizations.

The present report makes a brief presentation of the activities carried out by United Nations intergovernmental bodies, human rights mechanisms, the Office of the High Commissioner for Human Rights and United Nations specialized agencies and programmes to support intercultural dialogue, respect and tolerance.

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I. INTRODUCTION

1. In its resolution 2002/9, the Commission on Human Rights has called upon the High Commissioner for Human Rights to promote and include human rights aspects in the dialogue among civilizations, inter alia, through; (a) integrating them into topical seminars and special debates on the positive contributions of cultures, as well as religious and cultural diversity; and (b) collaboration by the Office of the United Nations High Commissioner for Human Rights (OHCHR) with other relevant international organizations in holding joint conferences designed to encourage this dialogue and promote understanding of the universality of human rights and their implementation at various levels.

2. The present report seeks to provide a brief overview of the initiatives and activities of United Nations intergovernmental bodies, human rights procedures and mechanisms, OHCHR and specialized agencies undertaken to address the issues and concerns raised in the recommendations of the aforementioned resolution.

II. UNITED NATIONS INTERGOVERNMENTAL BODIES

3. Tolerance and respect for other people are fundamental values to the purposes and principles of the United Nations, as is evident from the text of the preamble to the Charter of the United Nations¹ and of the Universal Declaration of Human Rights.² The 1993 Vienna Declaration and Programme of Action when recalling the universality, indivisibility and interdependence and interrelatedness of human rights and fundamental freedoms refers to various historical, cultural and religious backgrounds against which the rights should be promoted and protected.

4. The General Assembly and the Commission on Human Rights have repeatedly called for respect and tolerance, thereby encouraging dialogue among civilizations, a culture of tolerance based on respect for all human rights and for religious diversity. The ultimate objective of this dialogue is the promotion of mutual understanding and respect among peoples.

5. The United Nations Millennium Declaration³ reaffirms tolerance, freedom and equality as fundamental values essential to international relations in the twenty-first century. In August 2000, at the Millennium World Peace Summit of Religious and Spiritual Leaders, religious leaders from around the world signed a Commitment to Global Peace, which recognized that every religious tradition teaches that one must treat one's neighbour as one's self, regardless of racial, religious, ethnic, national, economic, age and gender differences. The United Nations Vision Statement on Tolerance and Diversity⁴ reiterates the importance of treating human diversity as a gift, rather than a threat.

6. In 1998, the General Assembly proclaimed the year 2001 as the United Nations Year of Dialogue among Civilizations.⁵ In 2001, the General Assembly proclaimed and adopted the Global Agenda for Dialogue among Civilizations which, at the national level, focused on promoting intellectual and artistic exchanges, education policies and the use of the media. At the United Nations level, this process was supported, inter alia, by the Trust Fund on Dialogue among Civilizations established by the Secretary-General in 1999.⁶

7. At its fifty-seventh session, the General Assembly received, in accordance with its resolution 56/156, a report of the Secretary-General on human rights and cultural diversity which reflects the views of Member States, relevant United Nations agencies and non-governmental organizations.⁷ The contributions acknowledged the need to promote and protect cultural diversity and mutual respect between and among peoples, and re-emphasized the universality, indivisibility and interrelatedness of human rights.

8. The Commission on Human Rights for its part also called for dialogue among civilizations, respect and tolerance. By adopting resolutions and considering reports on tolerance and pluralism as indivisible elements of the promotion and protection of human rights and following up the implementation of the Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance which identifies key elements for combating prejudices and racism and for promoting tolerance and respect. The Commission stressed that the promotion and protection of cultural diversity imply a commitment to human rights and fundamental freedoms guaranteed by international law and advance the application and the enjoyment of cultural rights by everyone.⁸

9. At its fifty-seventh session, on 26 March 2001, the Commission on Human Rights held a special debate on the theme "Tolerance and respect".⁹ A panel of eminent speakers discussed key identified sub-themes of tolerance and respect, including religious intolerance, social, political and economic exclusion, migrants, education, media and the United Nations system. The debate was an important opportunity to reflect on how to move forward towards a better appreciation of and respect for human diversity. A number of key messages emerged from the discussion with regard to diversity, common ethics, reconciliation, participation, religious tolerance, migrants, discrimination against women and the role of education. Speakers insisted on the fact that tolerance and respect for diversity are essential to social and economic vitality, as well as to the achievement of the human potential.

10. The debate highlighted the need to embrace core values and common ethics based on respect for human dignity and worth, in a globalized world. All speakers agreed that such core common values are grounded in universal human rights law, which "draw their binding force from their capacity to express the values essential to all cultures". It was acknowledged that tolerance and respect were values common to virtually all religions in the world. Religious teachings have been a powerful force for recognizing the importance of human dignity and worth. At the same time, intolerance, including religious intolerance, is now a global phenomenon which has been facilitated by the widespread use of the Internet as a vehicle for spreading hatred based on religious affiliation. Inter-faith dialogue is an important means of preventing the escalation of tensions and of promoting understanding and acceptance of diverse faiths.

11. Various speakers mentioned the multiple components of gender discrimination. It was acknowledged that women suffer disproportionately from discrimination and intolerance. No culture openly accepts discrimination against women. It was stressed that such practices are the result of cultural perversion and can therefore be changed by evolving cultural attitudes - as has happened over time with abhorrent practices such as slavery. Constructive dialogue regarding

cultural interpretations of human rights and their relationship to national laws and practices, when informed by international instruments such as the Convention on the Elimination of All Forms of Discrimination against Women, should be encouraged.

12. The UNESCO Universal Declaration on Cultural Diversity, adopted in November 2001, is based on many sources of informed discussion.¹⁰ The Declaration acknowledges the complex landscape of cultural differences. It argues that cultural diversity should be safeguarded because it is inseparable from respect for human dignity, human rights and fundamental freedoms, particularly the rights of groups that are disadvantaged or victims of discrimination. The defence of cultural diversity “implies a commitment to human rights and fundamental freedoms, in particular the rights of persons belonging to minorities and those of indigenous peoples” (art. 4); but it also underlines the fact that cultural diversity must not be allowed to serve as a pretext for infringing on fundamental human rights or for promoting cultural relativism. The Declaration aims at avoiding segregation and fundamentalism that in the name of cultural traditions make sacred differences and transgress the principles of the Universal Declaration of Human Rights. Article 5 of the UNESCO Declaration insists on the importance of the interaction between cultural diversity and human rights, particularly in the field of education, protection of identity and promotion of creativity. The item of the main lines of an action plan invites member States and UNESCO to make further headway “in understanding and clarifying the content of cultural rights as an integral part of human rights”. The new UNESCO Strategy on Human Rights includes this priority in order to deepen the definition of cultural rights and to promote their protection.

III. HUMAN RIGHTS MECHANISMS AND PROCEDURES

13. Human rights organs, bodies and mechanisms play an important role in explaining practical linkages between human rights, tolerance and respect. Treaty monitoring bodies and special rapporteurs have a particular legacy in bridging the divide between human rights norms and cultural specificities.

14. It is further to the adoption by the General Assembly in 1981 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, that the Commission on Human Rights decided to establish the mandate of the Special Rapporteur on freedom of religion or belief in 1986. This mandate is essential in assisting interreligious and intercultural dialogue. It provides an opportunity to limit misperceptions about different religions and beliefs and to ensure greater tolerance among and between religious communities.

15. Since 1986, the two special rapporteurs on the subject¹¹ have stressed the importance of combating all forms of intolerance and discrimination based on religion. The present rapporteur has repeatedly emphasized the importance of dialogue, both between and within religions. In his 2002 report the Special Rapporteur recalled his repeated appeals since 1994 concerning the need to combat religious extremism and the use of religions as tools for political purposes. He again emphasized that extremism, whether its invocation of religion is genuine or fictitious and whether it adopts, provokes or maintains violence or takes on less spectacular forms of intolerance, represents a violation of freedom and religion alike, and is not exclusive to any society or any religion. He also reviewed the situation of the interaction between and within religious communities in the context of the events of 11 September 2001. The Special

Rapporteur has been seeking the views and support of the Commission to assist him in preparing thorough and well-documented studies on religious extremism, on the consequences of the events of 11 September and on sects.

16. In 2001, on the occasion of the twentieth anniversary of the 1981 Declaration, the Special Rapporteur decided to organize, with the assistance of OHCHR and in cooperation with the Government of Spain, an International Consultative Conference on School Education in relation to Freedom of Religion and Belief, Tolerance and Non-Discrimination. The Conference focused on the role of school education in the fight against all forms of intolerance and discrimination based on religion or belief.¹²

17. In the framework of his mandate, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance has been specifically requested to examine the situation of Muslim and Arab peoples in various parts of the world in the aftermath of the events of 11 September 2001 and to submit a preliminary report on his findings to the Commission.¹³ It is worth recalling that the Special Rapporteur finalized his last report after the 11 September attacks. He reported on reactions against Muslim and Arab populations in several countries, as well as manifestations of anti-Semitism in North America, Europe and Russia.¹⁴ The Special Rapporteur has repeatedly emphasized the “fundamental importance of education” in combating prejudice, intolerance, racism and xenophobia.

18. It is since the early eighties that the United Nations has engaged in a dialogue with countries and communities concerned on the issue of female genital mutilations. This dialogue has been maintained and strengthened by the Special Rapporteur of the Sub-Commission on traditional practices affecting the health of women and girls. The Special Rapporteur has always insisted on the need to comply with international human rights standards while respectfully discussing the cultural values underpinning the practice of female genital mutilations. After years of dialogue, an awareness-raising campaign, legal measures, education and information, the issue has moved from a socio-cultural religious taboo to a positive concern of the international community. By ensuring respect for the culture of the communities concerned, the communities themselves initiated discussion on the rationale behind that particular rite. They acknowledged that changing some of their practices would not undermine their cultural values or their identity. Further efforts should build on these achievements. It is planned that the Special Rapporteur, with the assistance of OHCHR, will organize a regional meeting to discuss the relationship between harmful traditional practices and international human rights norms and standards, and also the issues of cultural practices by migrant communities in countries which have different cultural backgrounds.

IV. OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)

19. Most of the activities of OHCHR in promoting and encouraging dialogue among civilizations and cultures are carried through support to human rights mechanisms and procedures. Other activities include the 1998 Islamic perspective seminar on the Universal Declaration of Human Rights and its follow-up, as well as the work under the human rights education.

A. Islamic perspectives on the Universal Declaration of Human Rights

20. In November 1998, in the context of the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights, OHCHR co-organized with the Organization of the Islamic Conference a seminar entitled "Enriching the Universality of Human Rights: Islamic Perspectives on the Universal Declaration of Human Rights". Although not such a recent initiative, the seminar, it should be recalled, provided a framework for a better understanding of the message of Islam with respect to the Universal Declaration and contributed to the understanding of the significance of cultural and religious backgrounds to the Universal Declaration. The seminar demonstrated that dialogue and respect would make for a better understanding and a fuller realization of the rights proclaimed by the Universal Declaration of Human Rights.

21. In March 2002, in Geneva, OHCHR participated in a follow-up meeting which was organized by the Organization of the Islamic Conference. The meeting aimed to help dispel misconceptions about Islam, in particular during difficult times. During the meeting, participants highlighted the importance of initiatives in combating prejudice and misconception fed by ignorance. The two-day seminar was yet another opportunity for experts in Islamic law to recall that through its teachings, Islam affirms values of tolerance, non-discrimination and respect for human rights. The seminar provided a forum for continuing the discussion on human rights in Islam. Participants rejected linking Islam with terrorism and discussed issues such as freedom of expression, religious tolerance and women's rights and family law in Islam.

22. The specific attention given to Islam in the context of international human rights law is due to the fact that Islam is an entire legal, social, economic, political and spiritual system in itself that codifies the various aspects of the life of its followers. Both seminars reiterated the universality of human rights and the relevance of international human rights law at the national level. They also recalled and highlighted the principles of Islam as a rich resource on which to draw when facing the human rights challenges of our time.

B. Education as a means of promoting respect for cultural diversity

23. Education is an effective yet underutilized tool for combating fear of human differences and changing intolerant attitudes and behaviour. It should be considered in its broadest sense as an important means of empowering people to understand and exercise their human rights, strengthening self-esteem, and shaping attitudes and behaviour. Education is essential for promoting participation of marginalized groups, such as indigenous peoples, women and migrants, in the life of a society.

24. Tolerance and respect can be promoted through human rights education, multisectoral schooling and the incorporation of diverse historical perspectives in school curricula. Rather than being restricted to formal schooling, education for tolerance and respect should be considered the collective responsibility of every element of society. Its development should engage all sectors, including schools, the media, Governments, families, religion, business and civil society. This should be an ongoing process that involves engaging youth in development programmes and policies to promote tolerance; educating teachers in human rights; and undertaking adult education initiatives. Developments in media and information technology

contribute to broadening awareness of the negative effects of intolerance around the world. The media should be used to its full potential as a tool for education and prevention, including through dissemination of education via the Internet. Equitable access to all forms of education is essential to building an inclusive society based on tolerance and respect.

25. The World Conference against Racism recognized human rights education as a key element in combating prejudices and racism. The international community reiterated its belief that human rights education can prevent discriminatory attitudes and behaviour, combat prejudices and develop appreciation for cultural diversity. The implementation of the Durban Declaration and Programme of Action is an important vehicle for the promotion of tolerance and respect through education.

26. In the context of the United Nations Decade for Human Rights Education (1995-2004), OHCHR is promoting inter-religious and intercultural dialogue through activities in the following areas: facilitating networking and information-sharing among the Decade's actors; supporting national capacities for human rights education; assisting grass-roots human rights education initiatives; developing human rights training materials; and globally disseminating the Universal Declaration of Human Rights.

27. Through the Assisting Communities Together (ACT) Project, OHCHR sponsors human rights activities carried out at the local level by civil society. Some of the supported projects have an inter-religious and intercultural component. For instance, in Cambodia, OHCHR funded six training workshops to enhance dialogue between local authorities and the Muslim minority in the Thabong Khmum District; in Kumanovo (Macedonia), OHCHR supported the organization of interactive workshops for children from different origins to promote intercultural dialogue at school; in addition, about 20 projects with a focus on intercultural exchange will be supported in the Pacific region by June 2003.

28. OHCHR has also sponsored a teaching guidebook for secondary school educators entitled *Lifting the Spirit: Freedom of Religion or Belief and Human Rights*, which should be published early 2003 by the University of Minnesota Human Rights Centre. This curriculum is aimed, inter alia, at reinforcing, at school, the understanding among students, despite their cultural and religious differences.

29. In July 2002, OHCHR conducted the training at the fortieth session of the Geneva Graduate Programme which is organized every summer by the Department of Public Information. The theme of the training session was "The United Nations as a tool for dialogue among civilizations". This programme brought together 69 postgraduate students and young professionals from 38 developed and developing countries to debate during three weeks on matters of particular interest to the United Nations. General Assembly resolution 56/6 on the Global Agenda for Dialogue among Civilizations was one of the basic reference materials of the session. OHCHR staff, who moderated the various meetings, assisted the participants in drafting the human rights contribution to the dialogue among civilizations.

30. More details on human rights education activities carried out by OHCHR which have an effect on the promotion of inter-religious and intercultural dialogue can be found in the report on

the implementation of the Plan of Action for the United Nations Decade for Human Rights Education (E/CN.4/2003/100) and at the human rights education page of OHCHR web site at <http://www.unhchr.ch/education/main.htm>.

V. SPECIALIZED AGENCIES

31. The information outlined below was provided to the report of the Secretary-General to the General Assembly on human rights and cultural diversity.¹⁵

A. International Labour Organization (ILO)

32. ILO contributes to strengthening respect and dialogue among cultures through the setting and implementation of standards that emerged from a broad-based and inclusive process, in which Governments, workers' and employers' representatives from different cultures and religions participated. The Committee on the Application of Standards of the International Labour Conference provides a forum for discussing standards-related matters against the culturally diverse and inclusive background of its membership.

B. United Nations Educational, Scientific and Cultural Organization (UNESCO)

33. Within the framework of the implementation of the Universal Declaration on Cultural Diversity mentioned in paragraph 12 above and its Plan of Action, UNESCO is developing a new strategy for helping its member States, the international community and civil society in general to achieve a better understanding of cultural diversity and to foster intercultural dialogue. Efforts are currently under way to develop pluralism and encourage societies founded on a conception of "living together". The seminars and colloquiums organized by UNESCO examined the positive effects of cultural diversity and intercultural dialogue and the related challenges. UNESCO has undertaken actions to help people who are often victims of marginalization to preserve their cultural identities and have them more generally recognized.

34. UNESCO has, through its Division for Intercultural Dialogue, designed a programme for interreligious dialogue. Among the activities carried out under this programme, a worldwide survey on education and teaching of intercultural and interreligious dialogue had been initiated in 1999. The distribution of a questionnaire developed by 20 experts from different religious backgrounds and the replies to the questionnaire are the basis of analysis. UNESCO has received over 471 responses from 100 countries¹⁶ - out of 188 UNESCO member States - and is now finalizing its analysis. Among the first outcomes of the survey, the importance of interreligious dialogue in fostering intercultural dialogue was mentioned, as well as the role of peace and tolerance among religions in ensuring peace among nations. In the survey, religious dialogue is seen as an enrichment through diversity and interaction and as a means of allaying fears.

VI. CONCLUSIONS

35. Tolerance and respect are fundamental to the purposes of the United Nations. Cultural diversity is a source of exchange, innovation and creativity and reflects the uniqueness and plurality of the groups and societies making up humankind. The United Nations was created "in

the belief that dialogue can triumph over discord, that diversity is a cultural virtue, and that peoples of the world are far more united by their common fate than they are divided by their separate identities".¹⁷

36. As stated in the UNESCO Universal Declaration on Cultural Diversity, the defence of cultural diversity implies a commitment to human rights and fundamental freedoms. Human rights are the cornerstone of a common humanity that builds on the common values of tolerance, respect and dignity.

37. OHCHR acknowledges the decisive role of education in combating prejudices and in promoting a culture of respect, dialogue and tolerance. Activities under the United Nations Human Rights Education Decade and activities for the implementation of the Durban Declaration and Programme of Action are directed at promoting tolerance and respect. Human rights mechanisms should be assisted in linking the universality of human rights and cultural specificities.

Notes

¹ "We the peoples of the United Nations determined ... to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small ... and for these ends to practice tolerance and live together in peace with one another as good neighbours."

² "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

³ General Assembly resolution 55/2, 8 September 2000.

⁴ Vision Declaration: Tolerance and Diversity - A Vision for the 21st Century. It states that "Instead of allowing diversity of race and culture to become a limiting factor in human exchange and development, we must refocus our understanding, discern in such diversity the potential for mutual enrichment, and realize that it is the interchange between great traditions of human spirituality that offers the best prospect for the persistence of the human spirit itself."

⁵ General Assembly resolutions 53/22 of 4 November 1998, 54/113 of 10 December 1999 and 55/23 of 13 November 2000.

⁶ General Assembly resolution 56/6 of 9 November 2001.

⁷ Document A/57/311 and Add.1, August 2002.

⁸ Commission resolution 2002/26.

⁹ See "Tolerance and pluralism as indivisible elements in the promotion and protection of human rights" (E/CN.4/2002/18/Add.2), para. 4.

¹⁰ It includes the report of the World Commission on Culture and Development entitled “Our Creative Diversity” (UNESCO 1996), the Plan of Action adopted by the Intergovernmental Conference on Cultural Policies for Development, held in Stockholm in 1998, the debates of the two round tables of Ministers of Culture convened by UNESCO in 1999 and 2000, and inputs from regional and international organizations.

¹¹ Mr. Angelo d’Almeida Ribeiro (Portugal), 1986-1993 and Mr. Abdelfattah Amor (Tunisia), since 1993.

¹² See the report of the Special Rapporteur on freedom of religion or belief (E/CN.4/2002/73).

¹³ Commission on Human Rights resolution 2002/9, para.12.

¹⁴ E/CN.4/2002/24.

¹⁵ A/57/311.

¹⁶ Seventy-three responses from Africa, 131 from America, 61 from Asia, 159 from Europe and 47 from Oceania.

¹⁷ The Secretary-General’s address - October 2002 - at Yale University; the Secretary-General therefore called for this “dialogue [to] take place every day among all nations - within and between civilizations, cultures and groups”.
