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

**COMPREHENSIVE IMPLEMENTATION AND FOLLOW-UP TO THE  
DURBAN DECLARATION AND PROGRAMME OF ACTION**

**Combating defamation of religions**

**Report of the United Nations High Commissioner for Human Rights**

**Summary**

The present report is submitted in accordance with Commission on Human Rights resolution 2005/3. It focuses on activities undertaken by States, the Office of the United Nations High Commissioner for Human Rights, human rights mechanisms and the United Nations system to support intercultural dialogue, respect and tolerance.

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## Introduction

1. In paragraph 15 of its resolution 2005/3, the Commission on Human Rights called upon the United Nations 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, including through educational programmes, particularly the World Programme for Human Rights Education adopted on 10 December 2004; (b) collaboration by the Office of the United Nations High Commissioner for Human Rights 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 provides information on the follow-up actions taken by Member States, the United Nations system, human rights mechanisms, and the Office of the United Nations High Commissioner for Human Rights (OHCHR) that aim at promoting dialogue among civilizations and religious tolerance. An overview of activities and steps taken by Member States and other stakeholders in the promotion of religious tolerance and dialogue among peoples can be also found in the report of the Secretary-General on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (A/60/307 and Corr.1 and 2).

### I. REPLIES RECEIVED FROM MEMBER STATES

3. On 9 May 2005, the Office of the High Commissioner for Human Rights sent a note verbale to Member States inviting them to forward their contributions for the purposes of the present report and in particular on the following issues: (a) actions undertaken by the State to prohibit the dissemination through political institutions and organizations of racist and xenophobic ideas and material aimed at any religion, that constitute incitement to discrimination, hostility or violence; (b) legal and constitutional guarantees aimed at protecting against acts of hatred, discrimination and coercion resulting from defamation of religions; (c) measures undertaken to promote tolerance and respect for all religions and their value systems; (d) education and training programmes or modules aimed at ensuring that all public officials, in the course of their official duties, respect different religions and beliefs and do not discriminate on the grounds of religion and belief; (e) measures adopted to ensure equal access to education for all, in law and practice, including access to free primary education for all children and access for adults to lifelong learning and education based on respect for human rights, diversity and tolerance without discrimination on any ground; (f) actions aimed at supporting and promoting a global dialogue for a culture of peace and tolerance based on respect for human rights and religious diversity.
4. OHCHR received replies from 13 Member States, namely Argentina, Azerbaijan, the Bolivian Republic of Venezuela, Bolivia, Colombia, Costa Rica, Denmark, Estonia, Georgia, Lithuania, Mexico, the Russian Federation and Ukraine.
5. In **Argentina**, the National Institute against Discrimination, Xenophobia and Racism (INADI) was created in 1995 with the mandate of promoting social and cultural pluralism and combating discriminatory actions. Such an institution, as part of the Ministry of Justice and

Human Rights, has been recently tasked also with the mandate of implementing the National Plan of Action against Discrimination adopted in September 2005. The plan contains an extensive analysis of the situation of the different religious communities in Argentina and sets out concrete steps which the Government will undertake to enhance interreligious tolerance and dialogue. These measures cover various areas, ranging from the normative to the educational.

6. **Azerbaijan** is making efforts to combat religious intolerance and xenophobic and anti-Semitic propaganda within the framework of domestic legislation and international conventions. Religion is separated from the State. All religions are equal before the law. The dissemination and promotion of religions that diminish individual dignity and are not in keeping with the principle of humanity are prohibited. Everyone has the right to determine her or his attitude towards religion and the State guarantees the equality of rights for everyone, irrespective of race, ethnicity, religion or beliefs. Freedom of religion may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, in accordance with Azerbaijan's international obligations. Rights may also be restricted to ensure public safety and to maintain public order.

7. In Azerbaijan, the education system is monitored by the State. Every citizen has the right to education, according to the Constitution. The State guarantees free compulsory general secondary education. In June 2001, Azerbaijan established the State Committee for Work with Religious Institutions, considering it advisable to conduct a series of reforms to guarantee freedom of religion and to regulate relations between the State and religion. The task of the Committee is to create the necessary conditions for the implementation of guarantees of freedom of religion and to ensure stricter regulation of relations between the State and religious institutions. The Committee has organized various different seminars and meetings to, among other things, establish religious tolerance in society and thereby prevent the promotion of religious discrimination.

8. In the **Bolivarian Republic of Venezuela**, Title III of the Constitution guarantees all citizens the freedom of religion and the right to profess freely one's own belief, individually or in group. The Venezuelan legal system established that freedom of religion is an extension of freedom of thought, opinion and conscience, and implies the right of every human being to profess one's own belief.

9. Within the reform of the educational system of **Bolivia**, a specific area for training on social and ethical responsibility has been established with the aim of strengthening consciousness of the ethical dimensions of educational institutions and the action of educating. In public schools, religious education is on a voluntary basis, the educational curriculum contains an introduction to ethics and to different religious traditions and aims at honouring and valuing different religious viewpoints. The Ministry of Education has enacted measures focusing, inter alia, on strengthening the provision of quality education; enhancing the added value of diversity in society; countering the phenomenon of school dropouts, especially in rural areas; eliminating from school texts and programmes any discriminatory reference, thus promoting a change in mentality and individual and collective attitudes; fostering active social participation in the framing of educational tracks and programmes; and adopting a flexible institutional structure able to adapt to changes and to new developments. The Multi-year Operational

Plan 2004-2008 (POMA) of the Ministry of Education established amongst its seven strategic objectives the improvement of the quality, access and maintenance in the national educational system of those segments of the Bolivian population suffering high rates of exclusion.

10. The National Constitution of **Colombia** guarantees all citizens the freedom of religion and the right to profess freely one's own belief, individually or in group. The Constitution also establishes that every religion and church is equal before the law. Those constitutional provisions are largely developed in Law No. 133 of 1994.

11. The Constitution of **Costa Rica** guarantees, in its article 75, the freedom of religion or belief, subject only to such limitations as are prescribed by law and are necessary to protect public health or morals. Several legal and policy instruments have been adopted and enacted to prohibit discrimination on any ground, among them, the Educational Policy for the Twenty-First Century, Law No. 7142 for the promotion of effective equality of women, the Code on Childhood and Adolescence, the General Law on HIV/AIDS, and Law No. 7600 on equal opportunities for persons with disabilities.

12. Promotion of tolerance and respect for all religions and their value system is an essential part of the religious education programme in public schools in Costa Rica. A specific national educational programme focused on values has been set up. Within the school system, initiatives aimed at fostering global dialogue for a culture of tolerance and peace have been organized in the form of competitions, festivals, seminars and forums.

13. The Government of **Denmark** gives high priority to the fight against discrimination in any form. The dissemination of statements or other forms of information, by which a group of people is threatened, insulted or degraded because of race, colour, national or ethnic origin, religion or sexual inclination is prohibited by law.

14. In Denmark, free and equal access to education is secured through the law. All children staying in Denmark for a period longer than six months receive compulsory education, i.e. they have the duty to participate in education. In addition, the Act on Teaching Danish as a Second Language for Adult Foreigners and Others offers adult immigrants and refugees the possibility to attend Danish-language classes. The main aim of the Danish education system is to prepare pupils for active participation in and joint responsibility for the rights and duties that come with a society of democracy. Pupils should learn to respect the integrity of each individual human being. Various initiatives have been taken towards ethnic minorities in preschool and primary and secondary education.

15. Denmark has been providing public officials with training modules aimed at ensuring that, in the course of their official duties, they respect different religions and beliefs and do not discriminate on these grounds. Training days for the police forces in districts with problems with ethnic minority youth have also been organized. In November 2003, the Government published an Action Plan to Promote Equal Treatment and Diversity and Combat Racism, which contained a number of new initiatives, intended to help promote equality. The initiatives provide information about racism, discrimination, diversity and tolerance through dialogue and debate.

16. A number of additional projects have been organized. A campaign called "We need all youngsters", aimed at increasing awareness among ethnic minorities about the educational

system and amongst employers about the qualifications that young migrants hold. Working to ensure that religious leaders become co-players rather than opponents is one of many roads the Government of Denmark is pursuing. A dialogue with the imams is one way to reach the congregations. The Government has further given financial support to two projects aimed at promoting tolerance and respect for all religions and their value systems: one was the publication of a book called *Conversation Promotes Understanding*, which was the report from the committee of bishops on Islam.

17. The Constitution of **Estonia** affirms that all persons have freedom of conscience, religion and thought. Guarantees against acts of hatred, discrimination and coercion resulting from defamation of religions are stipulated in both the Constitution and other legal acts.

18. In Estonia, the promotion of tolerance and respect for all religions and their value systems is carried out at various levels. Within the school system, two specific subjects - human studies and society studies - have been added to the educational curricula. The issue of non-permissibility of discrimination, as well as tolerance towards different nations and cultures, is taught from the first grade of school. Promotion of tolerance and respect for all religions and their value system is an essential part of the religious education programme in public schools. In public schools, religious education is voluntary and schools are requested to provide such teaching when a minimum of 15 same-aged pupils wish to attend the course. The educational curriculum contains an introduction to different religious traditions and aims at honouring and valuing different religious viewpoints.

19. Public institutions are required to allow and enable those employed by or hosted in such institutions to exercise their religion in accordance with their faith if it is not detrimental to the established order of these institutions and to the interests of other people in the institutions. Conscripts serving in the armed forces are guaranteed the possibility to exercise their religion by the command staff of a military unit. If a conscript refuses to serve in the armed forces because of religious or moral reasons, an alternative service is possible. There is a chaplaincy in every prison.

20. In 2001, non-Christian religious associations established the Round Table of Religious Associations, whose aim it is to contribute to the development of religious tolerance and the promotion of religious freedom in Estonia.

21. In **Georgia**, article 14 of the Constitution provides that “everyone is born free and is equal before the law, regardless of ... religion”. However, article 9 “recognizes the special importance of the Georgian Orthodox Church in Georgian history but simultaneously announces complete freedom of religious belief and the independence of the church from the State”. The criminal code provides for the legal guarantees for protection of rights of opinion, conscience and religious denomination. Article 156 of the criminal code states that persecution for speech, opinion, conscience, religious denomination, faith or creed or religious pursuit shall be punishable by fine or restriction of freedom.

22. According to article 35 of the Constitution of Georgia, each citizen has the right to education and freedom of choice in education is recognized. The State guarantees that educational programmes conform to international standards and rights. The State also

guarantees preschool education, while primary education is mandatory for all. Basic education is free for all: citizens have the right to free secondary, professional and tertiary education at State institutes. All citizens enjoy the equal right to education and comprehensive development of their knowledge and skills necessary for equal opportunities to achieve success in private and social life. The State ensures the independence of public schools from religious and political unions.

23. Traditionally, the attitude towards different religions has been tolerant in Georgia. In 2000, however, the competent State bodies instituted proceedings against a former Orthodox priest who, together with his followers, used to attack representatives of non-traditional religious groups. The attitude of society towards violence motivated by religion is gradually changing. It is becoming clear that such actions are unacceptable and inadmissible, particularly in a multinational society as Georgia. In 2003, the President also issued the order “on approval of the 2003-2005 Plan of Action for Strengthening of Protection of Rights and Freedoms of Different Groups of Population of Georgia”.

24. In **Lithuania**, the Law on Religious Communities and Associations (1995) indicates that there exists no State religion, but nine religions are mentioned as a part of Lithuanian historic, spiritual and social heritage.

25. In Lithuania, signs of Islamophobia are seen in the public sphere of media such as the press, the Internet and television. According to recent polls, negative attitudes are increasing towards immigrants and refugees. Despite this, every year by a resolution of the Government of Lithuania, the Muslim Sunni spiritual centre Muftist receives a contribution from the State budget. In 1995, the parliament (Seimas) issued a statement strongly condemning signs of racism, xenophobia and related intolerance, including religious intolerance and anti-Semitism in any form. The Seimas urged the Government to support the prevention of intolerance, especially by promoting reciprocal understanding and trust, and by contributing to studies of other nationalities and languages. In 2002, a National Plan on the Promotion and Protection of Human Rights was approved, the implementation of which is sponsored by the United Nations Development Programme. Xenophobic rhetoric is unreservedly condemned by the Seimas. Such xenophobic statements led to five decisions by the Seimas Commission of Ethics and Procedure between 2001 and 2003.

26. In 2003, **Mexico** adopted a federal law for the prevention and elimination of discrimination. This instrument contains provisions aimed at preventing and eliminating all forms of discrimination and at promoting equality of opportunities and treatment. A list of discriminatory conducts prohibited by law is provided, together with positive and compensatory measures that public organs and federal authorities are to adopt to foster equal opportunities for various groups historically subjected to a disadvantaged or vulnerable situation. The law also provided for the creation of a National Council to Prevent Discrimination (CONAPRED). The law on the National Commission for the Development of Indigenous Peoples of 2003 fosters the promotion of equality of chances and the elimination of all forms of discrimination, including those based on religious grounds. As a specific legal instrument, the Regulation of the Law of Religious Associations and Public Worship of 2003 strengthens the existing legal framework in the field of freedom of religion and interreligious dialogue.

27. In Mexico, the State and municipal authorities have been organizing training sessions on legal and religious issues for religious leaders, civil servants and the public, in cooperation with the National Commission for the Development of Indigenous Peoples (CDI) and the National Commission for Human Rights (CNDH). Sixteen thousand copies of the Law on Religious Associations and Public Worship and its regulation have been distributed for free to raise awareness on the normative framework applicable in the religious sphere. The law was also translated and printed in various indigenous languages. Media campaigns on radio and television have spread messages allowing for a better knowledge and appreciation of the values of religious tolerance. CONAPRED has the task of formulating and implementing policies and actions in the field of education and social communication to raise awareness on the phenomena of racism and xenophobia. To this end, the Programme of Promotion and Inter-Institutional Cooperation has established collaborative links between public institutions and social and private actors working for the promotion of the rights of vulnerable groups and individuals. Within such a framework, the Council has proposed that public and private institutions do not enquire about people's religion, belief or opinions in the processes of selection of personnel and the training for the improvement of professional skills.

28. A public national inquiry was also launched during 2005 to carry out an "X-ray" of discrimination in Mexico and to envisage the elaboration of public policies in favour of vulnerable groups, in particular indigenous peoples and religious minorities. CONAPRED participated in the first National Forum on Religious Tolerance with a thematic intervention on the rule of law and religious tolerance in Mexican society. It also took part in activities organized by the members of the Permanent Campaign for Religious Tolerance and Freedom of Conscience.

29. Interreligious dialogue has been fostered through consultations with and among the main religious leaders of the country. There exists an Inter-Religious Council of Mexico, established in 1992, whose aim is to promote religious tolerance, the study of and comprehension amongst the different beliefs, the implementation of joint projects reflecting the universal values of humankind. An inter-institutional convention has been signed among the Ministry of the Interior, CNDH and CDI with the aim of promoting harmonious coexistence and respect for religious beliefs amongst individuals and groups. Conventions for enhancing the coordination on religious matters have been signed by the federal Government with governments of various federated States.

30. The promotion of tolerance and respect for all religions and their value system is an essential part of the religious education programme in public schools. In this regard, a general recommendation (No. 5) was also adopted by CNDH in 2003, which is specifically focused on discrimination based on religious grounds in schools.

31. In the **Russian Federation**, the Constitution guarantees equality of rights and freedoms of Russian citizens, independent of their religion (art. 19, part 2). This article also forbids any propaganda or agitation inciting social, racial, national or religious hatred or enmity. The Russian Constitution forbids the establishment of any State or mandatory religion. Religious organizations are separated from the State and have legal equality (art. 14). Citizens of the Russian Federation can freely change their religion or beliefs and participate in religious

services, education, etc. (art. 28). There were more than 22,000 registered religious organizations in Russia as of 1 September 2005, belonging to 60 different churches and denominations.

32. Practical implementation of the constitutional right to freedom of conscience is ensured by special provisions in the Russian Federation Criminal Code (arts. 136, 148 and 282) and its Administrative Code (art. 5.26). Article 282 of the Criminal Code provides for punishment for deliberate acts that incite ethnic, racial or religious enmity and hatred and was used recently in several cases of publications, containing such materials. The main legislation on freedom of conscience, freedom of beliefs and religious organizations is the Federal Law N125-FZ, "On freedom of conscience and religious organizations", of 26 September 1997. This law regulates citizens' rights to freedom of conscience and beliefs and also the legal status of religious organizations. The Ministry of Justice monitors the process of registration of religious organizations and the conformity of their activities with the Russian Constitution and the tasks and goals, as stated in the charters of the organizations.

33. Each Russian citizen has a right to education (article 43 of the Russian Constitution). Article 5.13 of the Russian Federation Law "On education" provides for the possibility to receive education, regardless of sex, race, ethnicity, language, social status, religious orientation, beliefs, age, state of health, etc. Article 14.4 of this law states that the content of education has to promote the mutual understanding and cooperation between all people regardless their race, nationality, ethnicity, religion, social status, etc., and to facilitate the right of the person learning to select freely his/her opinions and beliefs.

34. There are now more than 130 religious educational institutions registered in the Russian State registry. According to the law, such institutions have to receive a State licence to participate in educational activity. Providing professional educational activity without State registration and a licence is not permitted.

35. The Russian Ministry for Education and Science, in cooperation with various public and religious organizations, is implementing a whole series of measures to promote peace and to fight xenophobia, and national and religious intolerance in Russian society. The State educational standards for the general (school) education provide for the study of the historical and cultural foundations of the main world religions.

36. In **Ukraine**, the Constitution states that "the Church and religious organizations in Ukraine are separate from the State, and the school from the Church". The State does not interfere in the activities of religious organizations that operate within the law and does not finance the activities of religious organizations. Ukrainian legislation provides guarantees to ensure protection against acts of hatred, discrimination and violence resulting from defamation of religion. Article 35 of the Constitution of Ukraine clearly establishes the right of every citizen to freedom of personal philosophy and religion to ensure the equal rights and opportunities of all, regardless of their attitude to religion.

37. Matters concerning the practical implementation of the constitutional right to freedom of conscience are regulated by the Freedom of Conscience and Religious Organizations Act of 23 April 1991. This act guarantees the right to freedom of conscience and the exercise of that

right, and ensures social justice, equality and the protection of the rights and legitimate interests of citizens regardless of their attitude to religion, in accordance with the Constitution of Ukraine. Article 3 of the act guarantees the right of every Ukrainian citizen to freedom of conscience. All religions, faiths and religious organizations are equal before the law. A religious organization shall not interfere in the activities of another religious organization or in any way preach enmity or intolerance towards non-believers or followers of other faiths (art. 5). The exercise of the right to a personal philosophy and profession of faith may be restricted by law only in the interests of protecting public order, the health and morality of the population, or protecting the rights and freedoms of other persons (Constitution of Ukraine, art. 35).

38. Article 31 of the Freedom of Conscience and Religious Organizations Act of 23 April 1991 provides that officials and citizens who violate legislation on freedom of conscience and religious organizations bear liability, as established in Ukrainian legislation. Thus, article 161 of the Criminal Code of Ukraine provides that deliberate acts that (a) incite ethnic, racial or religious enmity and hatred; (b) degrade national honour and dignity or insult the religious beliefs of other citizens; and (c) directly or indirectly restrict the rights of, or establish direct or indirect privileges for citizens on the basis of race, skin colour, political, religious or other beliefs, sex, ethnic or social origin, property status, place of residence, linguistic or other characteristics shall be punishable by a fine or punitive deduction of earnings or restriction of liberty, with or without loss of the right to hold certain posts or engage in certain activities for up to three years.

39. Article 3 of the Education Act of 23 May 1991 states that Ukrainian citizens have the right to free education in all State educational establishments, regardless of sex, race, ethnicity, social and property status, type and nature of employment, ideology, party membership, attitude to religion, religious denomination, state of health, place of residence or other circumstances.

## **II. STEPS TAKEN BY THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS AND HUMAN RIGHTS MECHANISMS**

### **A. Office of the United Nations High Commissioner for Human Rights**

40. OHCHR has continued to develop relations with the Islamic world and more specifically with the Organization of the Islamic Conference (OIC) and the Islamic Scientific, Educational and Cultural Organization (ISESCO). In this respect, the High Commissioner signed a Memorandum of Understanding (MOU) with ISESCO in November 2005. This MOU sets out a framework for cooperation in, inter alia, the field of human rights education, the exchange and dissemination of human rights information and the joint organization of conferences and training courses.

41. OHCHR is in the process of concluding a wider MOU with OIC. A draft MOU has been prepared and verbally approved by both OHCHR and OIC. This MOU includes cooperation between the two organizations to, inter alia, provide technical assistance and advisory services on human rights issues, exchange information and documents, participate in meetings and events, and train OIC staff.

42. Under these two MOUs, and as part of OHCHR Annual Appeal 2005, OHCHR organized in January 2006 a training seminar on the United Nations mechanisms for human rights for the OIC and ISESCO secretariats in Geneva. OHCHR is also planning to organize two additional events in 2006: the first will be an experts' meeting on key issues relating to human rights and Islam, including women's rights, terrorism and freedoms. The second would be an intergovernmental meeting on the human rights situation in the Islamic world. These two events will be organized in cooperation with OIC.

43. In November 2005, the High Commissioner for Human Rights received letters in which concerns were expressed about the 30 September 2005 cultural edition of the *Jyllands Posten*, a Danish newspaper. According to the letters, this newspaper, during September 2005, organized a drawing competition where cartoonists were invited to draw sketches of the prophet Mohammad. The results of the competition, published in the cultural edition of the *Jyllands Posten*, allegedly contained inappropriate images of the prophet Mohammad. The letters were copied by the authors to both Asma Jahangir, Special Rapporteur on freedom of religion or belief and Doudou Diène, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

44. In the context of OHCHR cooperation and continuous dialogue with Member States, the allegations mentioned in the letters were brought to the attention of the Permanent Mission of Denmark to the United Nations Office in Geneva. OHCHR is committed to raising awareness and drawing international attention to any declaration or action that could demonstrate a lack of respect for the religion of others. However, as acknowledged by the Special Rapporteur on freedom of religion or belief, the question of religious symbols cannot be easily resolved because other human rights may be at stake. There is a need to explore ways and means to adequately address the issue of religious intolerance in the future by striking the right balance between freedom of expression and freedom of religion.

45. The report of the regional seminar for South and South-East Asia on "Combating racism, racial discrimination, xenophobia and related intolerance: role of education", held in Bangkok, from 19 to 21 September 2005 (E/CN.4/2006/22), discusses issues related to the contribution of education as a tool for advocating respect and inclusion through a multicultural approach in contents of school curricula and materials.

46. During the reporting period, the human rights section of the United Nations Mission in Ethiopia and Eritrea carried out a number of human rights training sessions and activities oriented to the promotion of human rights within the context of the dialogue among civilizations. The promotion of cultural diversity was the central topic of two sessions on the promotion and protection of minority rights held on 12 April 2005 for prosecutors and law enforcement officials of the State of Tigray in Ethiopia. Although the promotion of the freedom of religion has not been the central topic of technical cooperation activities, the theme was integrated in a number of seminars and special debates such as the session on "International human rights and human rights of prisoners", conducted on 24 June 2005. Similarly, the issue of religious practices and human rights standards was discussed during a session on sexual assault and violence conducted on 24 November 2005 in the Eastern Tigray zone, and which included the participation of police investigators, police officials, law professors, medical doctors and lawyers from the Women's Association. The session on the application of human rights law in Ethiopia, conducted on 11 June 2005, also tackled the right to freedom of religion.

## **B. Special procedures of the Commission on Human Rights**

47. OHCHR supported the participation of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in the following meetings that aimed at promoting tolerance based on respect for religious diversity: (a) the “Premier congrès mondial des imams et rabbins pour la paix”, held in Brussels from 3 to 6 January 2005; (b) the second “Inter-Faith Peace Summit in Africa”, held in Johannesburg, South Africa, from 21 to 25 April 2005; (c) the World Conference on Interreligious Dialogue, held in Santiago de Compostela, Spain, from 25 to 27 May 2005; (d) the OSCE Conference on Anti-Semitism and on Other Forms of Intolerance, held in Cordoba, Spain, on 8 and 9 June 2005; (e) the meeting on “Cultural diversity in the Mediterranean: between conflict and dialogue”, held in Seville, Spain, from 26 to 29 September 2005; (f) the Encounter on Dialogue between Cultures and Religions, Atman Foundation, held in Madrid on 27 and 28 October 2005; and (g) the Seville Seminar on Defamation of Religions, held in Seville, Fundación Tres Culturas, on 18 and 19 November 2005.

48. In the interim report submitted to the General Assembly (A/60/283), the Special Rapporteur stressed that, in the ideological context generated by the tragic events of 11 September 2001, Islamophobia is a particularly alarming manifestation of discrimination. He drew the attention on the dynamic of the clash of cultures, civilizations and religion emerging from four aspects of Islamophobia: (a) the perception, in reaction to acts of violence perpetrated by individuals claiming to be Muslims, of all Muslims and of the Islamic community as a whole as a political problem; (b) official policies of monitoring the teaching and practice of Islam; (c) the general increase in acts of violence against Islamic places of worship and culture as well as Muslim worshippers; and (d) the overt intellectual legitimization of Islamophobia by leading researchers and writers and by some media outlets.

49. The Special Rapporteur on freedom of religion or belief has consistently stressed the importance of a continued and strengthened dialogue among religions or beliefs, encompassed by the dialogue among civilizations, to promote greater tolerance, respect and mutual understanding. The Special Rapporteur noted that the absence of, or limitations on, the freedom of religion or belief remains a reality for a large number of individuals worldwide. Among her main concerns are the continuing violations of human rights of members of certain religious minorities, as well as the still widely applied practice of forced conversion. A large number of the violations of the right to freedom of religion or belief are committed by non-State actors, whether members of religious groups themselves or others. She also deplores the absence in many countries of positive measures that aim at restoring or establishing a climate of religious tolerance, which remains the central concern of the mandate.

## **C. Human rights treaty bodies**

50. During the reporting period, the Committee for the Elimination of Racial Discrimination (CERD) organized two complementary events: a thematic discussion on the prevention of genocide on 28 February 2005, and a general debate on multiculturalism on 8 March 2005. In the first event, States parties, civil society organizations and experts were invited to participate in the debate on the prevention of genocide from the standpoint of racial discrimination. It was

hoped that the discussions would highlight the most effective preventive measures and address the root causes of genocide and ethnic cleansing, such as systematic discriminatory policies against national, ethnical, racial or religious groups.

51. During the general debate on multiculturalism, it was noted that large-scale discrimination stemmed from the rejection of multiculturalism and cultural diversity. In this regard, the need for acknowledging the basic racial, ethnic, religious or cultural components of multiculturalism was stressed by the participants.

52. In addition, the Committee, in its concluding observation, has recognized the “intersectionality” of racial and religious discrimination and encourages Member States to promote the establishment of non-denominational or multi-denominational schools. The Committee also recalled States’ obligations to ensure that all persons enjoy their rights to freedom of religion, without any discrimination based on national or ethnic origin, in accordance with article 5 (d) of the International Convention on the Elimination of All Forms of Racial Discrimination.

### **III. THE UNITED NATIONS SYSTEM**

#### **A. United Nations Secretariat**

##### **1. Establishment of the Office of the Alliance of Civilizations**

53. Earlier in 2005, at the suggestion of the Prime Ministers of Spain and Turkey, the Secretary-General, Kofi Annan, announced the launch of an “Alliance of Civilizations”. This initiative intends to respond to the need for a committed effort by the international community - both at the institutional and civil society levels - to bridge the gap between Islamic and Western societies and overcome prejudices, misconceptions and polarizations, which potentially threaten world peace. The movement also aims to advance mutual respect for religious beliefs and traditions, serving as a coalition against extremists by addressing emerging threats emanating from hostile perceptions that foment violence, and by bringing about cooperation among various efforts to heal such divisions.

54. On 14 November 2005, the Secretary-General appointed Mr. Tomas Mastnak and Mr. Shamil Idriss as, respectively, the Director and Deputy Director of the Office of the Alliance for Civilizations. On 27 November 2005, the High-level Group for the Alliance of Civilizations launched its first meeting in Palma de Mallorca, Spain. The High-level Group is chaired by Federico Mayor of Spain and Mehmet Aydin of Turkey and includes many eminent personalities.

55. In a message delivered by the Special Adviser on the Alliance of Civilizations, Iqbal Riza, to the first high-level meeting of the Alliance in Palma de Mallorca, the Secretary-General said, “Trends of recent years have strained relations between East and West. They have notably strained perceptions between Islamic and Western peoples. If unaddressed, these may even threaten stability in our world ... Your High-level Group must assess these alarming developments. And it must propose a collective response to defuse these tensions.” The High-level Group is expected to present recommendations and a practical plan of action by late 2006.

## **2. Celebration of the International Day for Tolerance**

56. On 16 November 2005, the United Nations marked International Day for Tolerance with a call for cultures to learn about each other. In a message commemorating the day, the Secretary-General stressed the importance of individual initiative in building a culture of tolerance, in addition to increased legal protection and education, and noted, "The need for tolerance is greater today than at any time in the United Nations' past. In a world of intense economic competition, shifting populations and shrinking distances, the pressures of living together with people of different cultures and different beliefs from one's own are very real. The resultant backlash is evident in the rise of xenophobia and extremism across the globe. It demands our strongest response."

57. The Secretary-General also noted that, in the Outcome Document of the recent United Nations World Summit, all the Member States' Governments said: "We recognize that all cultures and civilizations contribute to the enrichment of humankind. We acknowledge the importance of respect for religious and cultural diversity throughout the world. In order to promote international peace and security, we commit ourselves to ... encouraging tolerance, respect, dialogue and cooperation among different cultures, civilizations and peoples." The Secretary-General invited the international community "to pledge to translate those words into reality; to celebrate our diversity and learn from our differences; to make use of them in strengthening the bonds of our common humanity".

## **3. Participation in conferences**

58. In a message delivered to a conference on "Islam in a Pluralistic World", held in Vienna on 14 November 2005 and hosted by the Austrian Ministry for Foreign Affairs and the Österreichische Orient-Gesellschaft Hammer-Purgstall, the Secretary-General emphasized that "the United Nations has always seen inter-faith dialogue and cooperation as an important building-block for peace. The need for it has never been greater than today". He added, "Clearly, there is a need to unlearn our collective prejudices; to promote a continuing dialogue among the great religions - a dialogue based on the premise that diversity - in thought, in belief, and in action - is a precious gift, not a threat. We must educate ourselves and our societies to go beyond stereotypes of the other, and to avoid simplistic categorizations that exacerbate misunderstandings and prevent real problems being tackled."

59. "And we must resolve to build a world in which no nation, and no community, will be punished collectively for the crimes of some of its members; a world in which no religion will be demonized for the aberrations of some of its adherents; a world in which there will be no "clash of civilizations", because people will strive to discover the best in each other's traditions and cultures, and to learn from it", stated the Secretary-General, in his message delivered by Lakhdar Brahimi, Special Adviser to the Secretary-General.

## **B. United Nations Educational, Scientific and Cultural Organization**

60. The promotion of dialogue in the service of peace - in order to build "peace in the minds of men" - is one of the main themes of the UNESCO mission. Many activities currently pursued in the context of the UNESCO regular programme respond in concrete terms to the exigencies of

instilling and sustaining a concrete dialogue among peoples. Education, at all levels and in all forms, has always been the preferred means by which UNESCO has sought to create and strengthen awareness of the issues of the maintenance and consolidation of peace.

61. Dialogue-relevant activities by the Education Sector of UNESCO include the promotion of quality education integrating dialogue-oriented values, as well as plans to support Member States in the revision of the content of textbooks, learning materials and curricula. In many education systems, textbook authors tend to focus on knowledge-based outcomes, often resulting in a top-down style that fails to take into account the diverse learning styles, life experiences and the cultural and linguistic diversity of all members of the communities they serve, resulting in materials that sometimes, indeed often, reinforce patterns of exclusion.

62. UNESCO is working towards textbooks for the twenty-first century, which need to reflect more inclusive pedagogies and diversified content, which not only influence academic knowledge, but also engage learners in interactions leading to the acquisition of life skills and universally shared values within a human rights perspective. Textbooks present an opportunity for engaged dialogue between students, between teachers, by extension between students and their families and ultimately between cultures. Textbook revisions need to focus on the portrayal of gender stereotypes, the portrayal of other cultures and other nationalities and also on the role of the teacher in interpreting and developing textbook materials that are unbiased and free from stereotypes. Activities of the Education Sector therefore include the introduction of dialogue components into teacher training and into non-formal education activities.

63. UNESCO field offices have launched a number of dedicated projects relevant for dialogue among cultures and civilizations. For example, the UNESCO Cairo Office organized with a number of partners (League of Arab States, ISESCO, the Arab League Educational, Cultural and Scientific Organization, OIC, Council of Europe, the Anna Lindh Foundation for Euro-Mediterranean Dialogue among Cultures and the Swedish Institute in Alexandria) in December 2004, the very first interregional conference on history textbooks: "Euro-Arab dialogue: the image of Arabo-Islamic culture in European history textbooks." Conceived as a contribution to the implementation of the Euro-Arab strategy "Learning to Live Together", the conference agreed on concrete follow-up activities, including the formation of expert task forces to discuss a concrete action plan and its transformation into a more sustainable activity of textbook revision in the two regions. Short-term goals agreed upon were the holding of a specialists meeting, within six months at the Georg-Eckert Institute in Germany, bringing together history textbook writers and history teachers to discuss concrete approaches.

64. On 20 October 2005, the General Conference of UNESCO approved the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, an international normative instrument that will enter into force three months after its ratification by 30 States. With the Convention, UNESCO completes its normative action aimed at defending cultural diversity in all of its manifestations, and most especially the two pillars of culture: heritage and contemporary creativity.

65. The Convention seeks to reaffirm the links between culture, development and dialogue and to create an innovative platform for international cultural cooperation. To this end, it

reaffirms the sovereign right of States to elaborate cultural policies with a view “to protect and promote the diversity of cultural expressions” and “to create the conditions for cultures to flourish and to freely interact in a mutually beneficial manner” (art. 1).

66. At the same time, a series of Guiding Principles (art. 2) guarantees that all measures aimed at protecting and promoting the diversity of cultural expressions does not hinder respect for human rights and fundamental freedoms “such as freedom of expression, information and communication, as well as the ability of individuals to choose (them)”. The “Principle of openness and balance” ensures that when States adopt measures in favour of the diversity of cultural expressions “they should seek to promote, in an appropriate manner, openness to other cultures of the world”.

67. The rights and obligations of State Parties (arts. 5 to 11) include a series of policies and measures aimed at protecting and promoting the diversity of cultural expressions, approaching creativity and all it implies in the context of globalization, where diverse expressions are circulated and made accessible to all via cultural goods and services.

68. International promotion and cooperation, especially in the case of developing countries, is at the heart of the Convention (arts. 12 to 19). To this effect, the creation of an International Fund for Cultural Diversity has been provided for in article 18. Resources for this Fund will come from voluntary contributions.

#### IV. CONCLUSION

69. **Member States, the United Nations system and the wider international community, including non-governmental organizations, are taking steps to counter religious intolerance. Notwithstanding these efforts, the Commission on Human Rights is rightly alarmed by increasingly serious instances of intolerance and discrimination on the grounds of religion or belief. Defamation of religions is one of its most aggressive manifestations. Further efforts are to be made by Member States and other stakeholders to counter these phenomena, not only incidentally, but also by strategizing and harmonizing action at the local, country, regional and international levels through encompassing legislative, educational and policy measures.**

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