

THE TANDEM PROJECT

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UNITED NATIONS, HUMAN RIGHTS, FREEDOM OF RELIGION OR BELIEF

ALLIANCE OF CIVILIZATIONS – GOVERNMENTS & YOUTH SOLIDARITY DIALOGUE INITIATIVES

Issue: Alliance of Civilizations – Governments & Youth Solidarity Dialogue Initiatives

For: United Nations, Governments, Religions or Beliefs, Academia, NGOs, Media, Civil Society

Review: The Alliance of Civilizations Forum, 15-16 January 2008, in Madrid Spain was a high level event of people from many society sectors, brought together to improve understanding and cooperative relations among nations, and peoples across cultures and **religions to help counter the forces that fuel polarization and extremism**. There were twelve Major Outcomes from the Forum printed in this Review on pages 2-3. Two Major Outcomes are initiatives for governments and youth dialogue. They are highlighted in bold followed by an Issue Statement for a **proposed pilot project** by the Republic of Turkey for government and youth dialogue. This Review should with the attached Word Document: *Veiled Democracy & Republic of Turkey*. For a complete report of the Madrid Forum click to open: <http://www.unaoc.org/>

Objective: Build understanding and support for Article 18, International Covenant on Civil and Political Rights –Everyone shall have the right to freedom of thought, conscience and religion - and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. Encourage the United Nations, Governments, Religions or Beliefs, Academia, NGOs, Media and Civil Society to use these international human rights standards as essential for *long-term solutions* to conflicts based on religion or belief.

Challenge: In 1968 the United Nations deferred work on an International Convention on the Elimination of all Forms of Religious Intolerance, because of its apparent complexity and sensitivity. In the twenty-first century, a dramatic increase of intolerance and discrimination on grounds of religion or belief is motivating a worldwide search to find solutions to these problems. This is a challenge calling for enhanced dialogue by States and others; including consideration of an International Convention on Freedom of Religion or Belief for protection of and accountability by all religions or beliefs. The tensions in today's world inspire a question such as:

- Should the United Nations adopt an International Convention on Freedom of Religion or Belief?

Response: Is it the appropriate moment to reinitiate the drafting of a legally binding international convention on freedom of religion or belief? Law making of this nature requires a minimum consensus and an environment that appeals to reason rather than emotions. At the same time we are on a learning curve as the various dimensions of the Declaration are being explored. Many academics have produced voluminous books on these questions but more ground has to be prepared before setting up of a UN working group on drafting a convention. In my opinion, we should not try to rush the elaboration of a Convention on Freedom of Religion or Belief, especially not in times of high tensions and unpreparedness. - *UN Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, Prague 25 Year Anniversary Commemoration of the 1981 UN Declaration, 25 November 2006.*

Option: Forty years later may be the time, however complex and sensitive, to consider a new Working Group to draft a United Nations Convention on Freedom of Religion or Belief. United Nations Secretary General Ban Ki Moon, at the UN backed Alliance of Civilizations Forum in January 2008 addressed the

urgency of dialogue; “Never in our lifetime has there been a more desperate need for **constructive** and committed dialogue, among individuals, among communities, among cultures, among and between nations.” This includes establishing genuine dialogue within and among all kinds of religions or beliefs, ranging from religious fundamentalism to secular dogmatism.

Concept: *Separation of Religion or Belief and State – SOROBAS*. The starting point for this dialogue is the First Preamble to the 1948 United Nations Universal Declaration of Human Rights; “*Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.* It suggests States recalling their history, culture and constitution adopt fair and equal human rights protection for all religions or beliefs as described in General Comment 22 on Article 18, International Covenant on Civil and Political Rights, UN Human Rights Committee, 20 July 1993 (CCPR/C/21/Rev.1/Add.4):

- **PARAGRAPH 2.** Article 18 protects *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.* The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with international characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community.

Extracts: Extracts are presented under the Eight Articles of the 1981 U.N. Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief. Examples of extracts are presented prior to an *Issues Statement* for each Review.

4. 1 *All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.*

4.1.2: *Economic*

5. 3 *The child shall be protected from any form of discrimination on the grounds of religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for the freedom of religion or belief of others and in full consciousness that his energy and talents should be devoted to the service of his fellow men.*

Major Outcomes: Alliance of Civilizations Forum, Madrid Spain

Madrid, 15-16 January 2008

- Announcement of a Global Youth Employment Initiative, called Silatech, with an investment of \$100 million from H.H. Sheika Mozah bint Nasser-el-Missned and partnerships with the World Bank and the corporate sector, notably with CISCO, which will begin with 5 pilot country programs in the Middle East.
- Announcement of a multi-million dollar AoC Media Fund that will be a first-of-its-kind nonprofit large-scale media production company focused on normalizing images of stereotyped communities and minorities in mass media through partnerships with major Hollywood production, distribution, and talent management companies. The Fund was launched with an initial commitment of 10\$ million, and an estimated target of \$100 million.
- **Announcement of national and regional strategies for cross cultural dialogue by governments and multilateral organizations to advance AoC objectives in their respective countries and regions.**
- Establishment of partnership agreements, with various multilateral agencies and organizations, which contain specific terms that will enable the AoC to leverage networks, contacts, and competitive advantages of partners in the implementation of its programs. We have signed 5 agreements - with UNESCO, ARABIC STATES LEAGUE, ISESCO, ALECSO and United Cities and Local

Governments (UCLG) - and a letter of intent with the Council of Europe.

- Launch of the AoC Clearinghouse beginning with a theme of Media Literacy Education, which will catalogue media literacy programs and related government policies in different parts of the world; and announcements of partnerships with several universities that will serve as nodes to enliven this clearinghouse by initiating exchanges and posting materials on the latest development in media literacy education.
- Launch of a Rapid Response Media Mechanism beginning with an online resource that will feature a list of global experts in cross-cultural issues, who are available to comment or to talk to journalists, particularly in times of major cross-cultural crises.
- **Establishment of a Youth Solidarity Fund aimed at providing grants to support youth-led programs in the areas of intercultural and interfaith dialogue. Moreover, a decision was made to strengthen the network of youth participants that attended the AoC Forum and broaden the network to include other youth.**
- Creation of a global network of philanthropic foundations and private funders, which will share information; raise awareness of ongoing initiatives, identify mutual needs; and explore ways to leverage existing resources for greatest impact.
- Discussions at the policymaking level that highlight the importance to move the Alliance forward in 2008 such as: developing joint multi-stakeholders initiatives at the regional level aimed at promoting a better inter-cultural understanding, and preventing the mounting of tensions and the rise of extremism; contributing to the upgrade of the inter-cultural dialogue among the two banks of the Mediterranean Sea; launching a number of activities within the framework of active and city diplomacy.
- Establishment of an Alliance network of good will ambassadors made up of prominent, high-profile, internationally recognized figures drawn from the worlds of politics, culture, sport, business and entertainment to help in promoting the work of the Alliance, highlighting priority issues and drawing attention to its activities.
- Commitment by the United Nations Global Compact to producing a publication aimed at raising the visibility of best practices in the corporate sector toward supporting cross-cultural relations.
- Signing of an action-oriented statement of solidarity and joint commitment by diverse religious leaders toward the goal of advancing shared security and peace and providing youth with guidance to counter extremist influences.

ISSUE STATEMENT: Mr. Recep Tayyip Erdogan, Prime Minister of Turkey, in his address to the Alliance of Civilizations Madrid Forum said; “Turkey itself is an answer to the **clashes** in the world between civilizations.” Turkey is a nation straddling Asia and Europe, an ideal country for a pilot project initiative combining Outcome (3) National and regional strategies for cross-cultural strategies by governments and multilateral organizations to advance AoC objectives in their respective countries and regions; in partnership with, Outcome (7) Alliance of Civilizations Youth Solidarity Fund to support youth-led programs in inter-cultural, inter-faith dialogue.

Adult and youth dialogue strategies may depend on a transparent, open and fair reflection on the Preamble of the 1948 Universal Declaration of Human Rights; “*Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.*” – Mark C. Taylor, Williams College; New York Times Op Ed article makes this point: “The warning signs are clear: unless we establish a genuine dialogue within and among all kinds of belief, ranging from religious fundamentalism to secular dogmatism, the conflicts of the future will probably be even more deadly.”

The decision to base dialogue on the 1948 Universal Declaration of Human Rights and supporting international human rights treaties will depend on whether a pilot project by Turkey based on the Alliance of Civilizations Outcomes can set aside the reservations by Islamic countries claiming Islamic Shariah law as the final arbitrator over international human rights treaties. This argument is made in the votes of eighteen countries to abstain in the sixth session of the UN Human Rights Council on the mandate on the Special Rapporteur on Freedom of Religion or Belief, and in this excerpt from The Cairo Declaration on Human Rights in Islam excerpted in *Veiled Democracy & Republic of Turkey*:

Cairo Declaration on Human Rights in Islam
Adopted and issued at the Nineteenth Islamic
Conference of Foreign Ministers on 5 August, 1990.

The Member States of the Organization of the Islamic Conference,

Reaffirming the civilizing and historical role of the Islamic Ummah which God made the best nation that has given mankind a universal and well-balanced civilization in which harmony is established between this life and the hereafter and knowledge is combined with faith; and the role that this Ummah should play to guide a humanity confused by competing trends and ideologies and to provide solutions to the chronic problems of this materialistic civilization. – *The Cairo Declaration on Human Rights in Islam, 1990*

Article 24: All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari’ah. – *The Cairo Declaration on Human Rights in Islam, 1990.* This is the same stipulation as made by Islamic reservations on United Nations human rights treaties.

The Republic of Turkey, a co-sponsor of the Alliance of Civilizations, might consider a **strategy for a pilot project** between secular and religious sectors of their country under General Comment 22 on Article 18, International Covenant on Civil and Political Rights, UN Human Rights Committee, 20 July 1993 (CCPR/C/21/Rev.1/Add.4)?

- **PARAGRAPH 2:** Article 18 protects *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.* The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with international characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community.

This depends on **adult approval** - parents, religious and non-religious leadership, according to Article 5.2 of the 1981 UN Declaration: *Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians; the best interests of the child being the guiding principle.*

A speaker at the Prague 25 year anniversary of the 1981 UN Declaration on Freedom of Religion or Belief, may have expressed the choices facing human rights advocates and religion or belief the best; “Our educational systems need to provide children with a broad orientation: from the **very beginning**, children should be taught that their own religion is one out of many and that it is a personal choice for everyone to adhere to the religion or belief by which he or she feels most inspired, or to adhere to no religion or belief at all.”

Reply: The Tandem Project Country & Community Database collects information worldwide on United Nations Human Rights Bodies. The information is used for UN Human Rights Council Universal Periodic Reviews (UPR); UN Treaty-based Reports; UN Special Procedures, Special Rapporteur Reports. Click on the link below to open the Database. Read the Instructions & Table of Contents: scroll to an Article of your choice and click to reply.

<http://www.tandemproject.com/databases/forms/card.htm>

The Tandem Project: a non-profit, non-governmental organization established in 1986 to build understanding and respect for diversity of religion or belief, and prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project has sponsored multiple conferences, curricula, reference materials and programs on Article 18 of the International Covenant on Civil and Political Rights – Everyone shall have the right to freedom of thought, conscience and religion - and the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. The Tandem Project initiative was launched in 1986 as the result of a co-founder representing the World Federation of United Nations Associations (WFUNA) at a 1984 United Nations Geneva Seminar, *Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief*, called by the UN Secretariat on ways to implement the 1981 UN Declaration. In 1986, The Tandem Project organized the first NGO International Conference on the 1981 UN Declaration.

The Universal Declaration of Human Rights First Preamble reads: “*Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.* This principle suggests all States recalling their history, culture and constitution, provide equal protection as declared by international law; for *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.* International Human Rights Standards on Freedom of Religion or Belief are essential for *long term solutions* to conflicts based on religion or belief.

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*The Tandem Project is a UN NGO in Special Consultative Status with the
Economic and Social Council of the United Nations*

WORD DOCUMENT ATTACHED

**THE 1981 U.N. DECLARATION ON THE ELIMINATION OF ALL
FORMS OF INTOLERANCE AND OF DISCRIMINATION
BASED ON RELIGION OR BELIEF**

Proclaimed by the General Assembly of the United Nations
25 November, 1981 (Resolution: 36/55)

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 Organization to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights and the International Covenants on Human Rights proclaim the principles of non-discrimination and equality before the law and the right to freedom of thought, conscience, religion or belief,

Considering that the disregard and infringement of human rights and fundamental freedoms, in particular the right to freedom of thought, conscience, religion or whatever belief, have brought, directly or indirectly, wars and great suffering to humankind, especially where they serve as a means of foreign interference in the internal affairs of other States and amount to a kindling hatred between peoples and nations,

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,

Considering that it is essential to promote understanding, tolerance and respect in matters relating to freedom of religion or belief and to ensure that the use of religion or belief for ends inconsistent with the Charter of the United Nations, other relevant instruments of the United Nations and the purposes and principles of the present Declaration is inadmissible,

Convinced that freedom of religion or belief should also contribute to the attainment of the goals of world peace, social justice and friendship among peoples and to the elimination of ideologies or practices of colonialism and racial discrimination,

Noting with satisfaction the adoption of several, and the coming into force of some conventions, under the aegis of the United Nations and of the specialized agencies, for the elimination of various forms of discrimination,

Concerned by manifestations of intolerance and by the existence of discrimination in matters of religion or belief still in evidence in some areas of the world,

Resolved to adopt all necessary measures for the speedy elimination of such intolerance in all its forms and manifestations and to prevent and combat discrimination on the grounds of religion or belief,

Proclaims this Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief:

ARTICLE 1: LEGAL DEFINITION

1. 1 *Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practices and teaching.*

1. 2. *No one shall be subject to coercion which would impair his freedom to have a religion or belief of his choice.*

1. 3 *Freedom to manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, morals or the fundamental rights and freedoms of others.*

ARTICLE 2: CLASSIFYING DISCRIMINATION

2. 1 *No one shall be subject to discrimination by any State, institution, group of persons or person on the grounds of religion or other beliefs.*

2. 2 *For the purposes of the present Declaration, the expression 'intolerance and discrimination based on religion or belief' means any distinction, exclusion, restriction, or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.*

ARTICLE 3: LINK TO OTHER RIGHTS

3. 1 *Discrimination between human beings on grounds of religion or belief constitutes an affront to human*

dignity and a disavowal of the principles of the Charter of the United Nations, and shall be condemned as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and enunciated in detail in the International Covenants on Human Rights, and as an obstacle to friendly and peaceful relations between nations.

ARTICLE 4: EFFECTIVE MEASURES

4. 1 All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.

4. 2 All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter.

ARTICLE 5: PARENTS, CHILDREN, STATE

5. 1 The parents or, as the case may be, the legal guardians of the child have the right to organize the life within the family in accordance with their religion or belief and bearing in mind the moral education in which they believe the child should be brought up.

5. 2 Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians; the best interests of the child being the guiding principle.

5. 3 The child shall be protected from any form of discrimination on the grounds of religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for the freedom of religion or belief of others and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

5. 4 In the case of a child who is not under the care either of his parents or of legal guardians, due account shall be taken of their expressed wishes or of any other proof of their wishes in the matter of religion or belief, the best interests of the child being the guiding principle.

5. 5 Practices of a religion or belief in which a child is brought up must not be injurious to his physical or mental health or to his full development, taking into account Article 1, paragraph 3, of the present Declaration.

ARTICLE 6: NINE SPECIFIC RIGHTS

In accordance with Article 1 of the present Declaration, and subject to the provisions of Article 1, paragraph 3, the right to freedom of thought, conscience, religion or belief shall include, inter alia, the following freedoms:

6. 1 To worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

6. 2 To establish and maintain appropriate charitable or humanitarian institutions;

6. 3 To make, acquire and use to an adequate extent the necessary articles and materials related to the rites and customs of a religion or belief;

6. 4 To write issue and disseminate relevant publications in these areas;

6. 5 To teach a religion or belief in places suitable for these purposes;

- 6. 6** *To solicit and receive voluntary financial and other contributions from individuals and institutions;*
- 6. 7** *To train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;*
- 6. 8** *To observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief;*
- 6. 9** *To establish and maintain communications with individuals and communities in matters of religion or belief at the national and international levels.*

ARTICLE 7: NATIONAL LEGISLATION

7. 1 *The rights and freedoms set forth in the present Declaration shall be accorded in national legislation in such a manner that everyone shall be able to avail himself of such rights and freedoms in practice.*

ARTICLE 8: EXISTING PROTECTIONS

8. 1 *Nothing in the present Declaration shall be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights and the International Covenants on Human Rights.*

MISSION STATEMENT

The Alliance of Civilizations (AoC) aims to improve understanding and cooperative relations among nations and peoples across cultures and religions and, in the process, to help counter the forces that fuel polarization and extremism.

It was established in 2005, at the initiative of the Governments of Spain and Turkey, under the auspices of the United Nations. In April 2007, the United Nations Secretary-General appointed Jorge Sampaio, former President of Portugal, as High Representative for the Alliance. The AoC is supported by a Group of Friends – a community of over 80 member countries and international organizations and bodies.

Working in partnership with governments, international and regional organizations, civil society groups, foundations, and the private sector, the Alliance is supporting a range of projects and initiatives aimed at building bridges among a diversity of cultures and communities. It is developing an online clearinghouse of best practices, materials and resources on cross-cultural dialogue and cooperation projects as well as a Rapid Response Media Mechanism to provide platforms for constructive debate and opinion during times of increased tensions around cross-cultural issues.

