

THE TANDEM PROJECT

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UNITED NATIONS, HUMAN RIGHTS, FREEDOM OF RELIGION OR BELIEF

EVANGELICAL PROTESTANT, ROMAN CATHOLIC, ORTHODOX: JOIN IN CREATING COMMON CODE OF CONDUCT FOR RELIGIOUS CONVERSIONS

Issue: Rules of conduct for religious conversions should reflect UN human rights standards.

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

Review: GENEVA, Aug. 15 (AP) – Evangelical Protestant churches have joined an effort by Roman Catholic, Orthodox and other Protestant churches to create a common code of conduct for religious conversions to preserve the right of Christians to spread their religion while avoiding conflict among faiths. The United Nations has adopted human rights standards that may relate to religious conversions. Can these standards be helpful in drafting a common **code of conduct**?

Extracts from the Associated Press story begin on page 2 followed by an Issue Statement. The AP story is included at the end of this Document.

International Standards for National and Local Applications

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 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: After forty years this may be the time, however complex and sensitive, for the United Nations Human Rights Council to appoint an Open-ended Working Group to draft a United Nations Convention on Freedom of Religion or Belief. The mandate of an Open-ended Working Group ought to assure nothing in a draft Convention will be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights, the International Covenants on Human Rights, and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. One

writer has said; “Religion raises the stakes of human conflict much higher than tribalism, racism, or politics ever can...it casts the differences between people in terms of eternal rewards and punishments.”

Concept: *Separation of Religion or Belief and State – SOROBAS.* The starting point for this concept 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):

- **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. **Article 18:** permits restrictions to manifest religion or belief only if such limitations are prescribed by law and necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Dialogue & Education

Dialogue: United Nations Secretary General Ban Ki Moon, at a UN backed Alliance of Civilizations Forum in January 2008 addressed the importance 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.” A writer in another setting said, “The warning signs are clear: unless we establish **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.” Solutions to conflicts over religious or philosophical ideology call for dialogue on the **purpose** of international law on freedom of religion or belief; and the **value** of these standards for regional, national and local applications.

Education: Ambassador Piet de Klerk addressed the Prague twenty-five year anniversary commemoration of the 1981 UN Declaration; “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.” Parents are key to this application The 1981 UN Declaration states; “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, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents, the best interests of the child being the guiding principle.”

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 Tandem Project Review.

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.*

GENEVA, Aug. 15 (AP) – Evangelical Protestant churches have joined an effort by Roman Catholic, Orthodox and other Protestant churches to create a common code of conduct for religious conversions to preserve the right of Christians to spread their religion while

avoiding conflict among faiths.

The World Council of Churches, which with the Vatican started talks, last year on a code, said Wednesday that the process was formally joined by the World Evangelical Alliance at a meeting this month in Toulouse, France.

The aim is to ease tensions with Muslims, Hindus and other religions that fear losing adherents. In some instances, converts and foreign missionaries have been punished with imprisonment or death.

The kidnapping by the Taliban of 23 South Korean Christian church volunteers visiting Afghanistan last month underscored tensions. At least two of the 23 have been killed.

One accusation against the South Korans is that they wanted to meet with converts from Islam. But their church has denied that they were trying to spread Christianity.

The World Council of churches, which is based here, said the code of conduct should be an “advocacy tool in discussions with governments considering anti-conversion laws” and should “help to advance the cause of religious freedom.”

The rules should also address concerns in other religions about Christians who seek converts and inspire those whose faiths to “consider their own codes of conduct,” the council said.

It said, however, that “none of the partners involved intend – nor have the means – to impose the code of conduct on their constituencies.”

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.

The World Council of churches, which is based here, said the code of conduct should be an “advocacy tool in discussions with governments considering anti-conversion laws” and should “help to advance the cause of religious freedom.”

The council said the code should establish what “needs to be banned when it comes to Christian mission, a daunting task given the many different contexts involved,” and should provide guidelines for dealing with complicated issues like inter-religious marriages.

ISSUE STATEMENT: Those who are about to draft rules of common conduct for religious conversions may wish to reflect on how such rules relate to the Universal Declaration of Human Rights and international human rights standards on freedom of religion or belief. International human rights standards as essential for long-term solutions to conflicts based on religion or belief. Conversion is a right under international standards on freedom of religion or belief. It is the way in which it is done that is a cause of concern that leads to rules of conduct of this kind.

Rules of conduct for religious conversions in the twenty-first century should recognize non-religious philosophies and ideologies in their guidelines. The United Nations has over fifty years of experience in drafting international human rights covenants, conventions and declarations against all forms of religious intolerance and discrimination. These instruments identify ways to avoid coercion in religious conversion and positive strategies that can be taken to build respect for diversity of religion or belief. To learn more about the relationship of the Universal Declaration of Human Rights and international standards on freedom of religion or belief, drafters

of these common guidelines for rules of conduct in religious conversions may be interested in following the United Nations High-level Dialogue on Inter-religious and Inter-cultural Understanding and Cooperation for Peace on 4-5 October 2007 in New York.

1. The UN General Assembly is holding a High-level Dialogue on Inter-religious and Inter-cultural Understanding and Cooperation for Peace on 4-5 October 2007 in New York. The UN Dialogue is one of the largest events of its kind since the Secretariat sponsored two week 1984 UN Geneva Seminar on the *Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief*. The founder of The Tandem Project represented the World Federation of United Nations Associations (WFUNA) at the UN Geneva Seminar. In 1986 The Tandem Project was launched as a follow-up to the 1984 UN Geneva Seminar, and held the first NGO International Conference on the 1981 UN Declaration; *Tolerance for Diversity of Religion or Belief*.

2. The UN General Assembly Dialogue in 2007 will be in two segments; (a) *Challenges of Inter-religious & Inter-cultural Cooperation Today*” and (b) *Best Practices & Strategies for Inter-religious and Inter-cultural Cooperation Going Forward*. The Tandem Project offers the UN General Assembly Dialogue twenty-seven *Community Strategies*, in PDF format from the 1986 Conference. The twenty-seven *Community Strategies* are ways to implement the 1981 UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief:

1986 Conference: <http://www.tandemproject.com/springhill.pdf>

RESPONSE: Read the instructions below then open The Tandem Project Internet Program:

The Tandem Project Internet Program: <http://www.tandemproject.com/program.htm>

The Tandem Project Internet Program has a **Vertical** left-side bar menu. Click any Vertical menu button except Program and Contents to open the **Horizontal** menu and access the information. Click *any* Horizontal **Response** button on the far right side. Type your name and e-mail address. In the **Topic** box type Call. In the **Response** box type your answers and hit **Submit**, or by-pass Response and use **reply** to answer these questions.

The Tandem Project: is an international, non-profit, non-governmental organization, founded in 1986, to promote tolerance and prevent discrimination based on 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 and the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The Tandem Project assesses the value of Article 18, International Covenant on Civil and Political Rights, and the 1981 U.N. Declaration from multi-disciplinary perspectives. <http://www.tandemproject.com>.

NGO Working Group: The Non-Governmental Organization (NGO) Working Group for a United Nations Convention on Freedom of Religion or Belief is reviewing and analyzing the historic effort to achieve in 1968 a UN Convention on Religious Intolerance; and how such an initiative can be revitalized and a strategy shaped for successful passage of a UN Convention on Freedom of Religion or Belief. The timing is critical. The issue is profound in today’s volatile world. Michael M. Roan: mroan@tandemproject.com.

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.

The aim is to ease tensions with Muslims, Hindus and other religions that fear losing adherents. In some instances, converts and foreign missionaries have been punished with imprisonment or death.

The kidnapping by the Taliban of 23 South Korean Christian church volunteers visiting Afghanistan last month underscored tensions. At least two of the 23 have been killed.

One accusation against the South Korans is that they wanted to meet with converts from Islam. But their church has denied that they were trying to spread Christianity.

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.

Evangelizing has also caused concern among other branches of Christianity because of the vigor with which Pentecostal and evangelical congregations have led the drive for conversions around the world. These churches have generally grown faster than older Christian churches.

The visit to Brazil by Pope Benedict XVI in May was partly a response to the exodus of millions of Catholics to Protestant evangelical churches.

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.

The World Council of churches, which is based here, said the code of conduct should be an “advocacy tool in discussions with governments considering anti-conversion laws” and should “help to advance the cause of religious freedom.”

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.

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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.*

Evangelicals Join Interfaith Effort to Write Rules for Conversions

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The aim is to ease tensions with Muslims, Hindus and other religions that fear losing adherents. In some instances, converts and foreign missionaries have been punished with imprisonment or death.

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The rules should also address concerns in other religions about Christians who seek converts and inspire those whose faiths to “consider their own codes of conduct,” the council said.

It said, however, that “none of the partners involved intend – nor have the means – to impose the code of conduct on their constituencies.”

Evangelizing has also caused concern among other branches of Christianity because of the vigor with which Pentecostal and evangelical congregations have led the drive for conversions around the world. These churches have generally grown faster than older Christian churches.

The visit to Brazil by Pope Benedict XVI in May was partly a response to the exodus of millions of Catholics to Protestant evangelical churches.

Juan Michel, a spokesman for the World Council of Churches, said the support from the evangelical alliance was a big push for efforts to agree on guidelines by 2010.

Major evangelical groups were absent last year from a meeting of the Vatican and the council near Rome, where the idea for the code was initiated. But at the five-day meeting in Toulouse, which ended Sunday, Geoff Tunnicliffe, international director of the World Evangelical Alliance, gave his “full approval” to the process, the council said.

The alliance comprises 233 Protestant groups and ministries in 121 nations. The council unites about 350 Protestant, Orthodox, Anglican and other churches representing more than 560 million

Christians.

The next step in the process is a meeting next year to draft the guidelines.

The council said the code should establish what “needs to be banned when it comes to Christian mission, a daunting task given the many different contexts involved,” and should provide guidelines for dealing with complicated issues like inter-religious marriages.