

## THE TANDEM PROJECT

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### UNITED NATIONS, HUMAN RIGHTS, FREEDOM OF RELIGION OR BELIEF

#### EVANGELICAL PROTESTANT, ROMAN CATHOLIC AND ORTHODOX JOIN IN DRAFTING A COMMON CODE OF CONDUCT FOR RELIGIOUS CONVERSIONS

**Issue:** Proselytism and religious conversions, the right to change one's religion or belief.

**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 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.”

Those who draft rules for a common conduct for religious conversions may wish to include the relationship of the code to the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. Conversion is a right under these International Human Rights Standards on Freedom of Religion or Belief. It is the way in which it is done, respectfully and with concern for the rights of others that may not wish to be converted or have their own religious and cultural traditions against such practices. Leadership taking all religious and cultural factors into consideration is needed in a spirit of respectful dialogue on issues such as proselytism and the right to change one's religion or belief.

Norms and standards on human rights and freedom of religion or belief are international law and codes of conduct for peaceful cooperation, respectful competition and resolution of conflicts. International Human Rights Standards on Freedom of Religion or Belief is a platform for genuine dialogue on core principles and values within and among nations, all religions and other beliefs.

#### **The Associated Press article is followed by an Issue Statement.**

**Excerpts:** Excerpts 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. These excerpts are followed by an *Issues Statement*.

**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.*

#### **Evangelicals Join Interfaith Effort to Write Rules for Conversions By Associated Press (AP) Geneva, August 15, 2007**

**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 Koreans 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.”**

**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.**

**ISSUE STATEMENT:** A common code of conduct for religious conversions should include conduct by non-religious ideologies, and equal protection for *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief*. United Nations human rights instruments seek ways to avoid coercion in religious conversion and promote positive strategies to build respect for diversity of religion or belief. The U.N. Human Rights Council realized how hard it is to achieve consensus on this when the issue of the right to change one's religion or belief came before the Council on a resolution to extend by three years the mandate on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

The United Nations Human Rights Council voted 29 in favor, 0 against and 18 abstentions on 14 December 2007 in the sixth session of the Human Rights Council. There are 47 members of the Human Rights Council. Those voting to abstain included: Azerbaijan, Bangladesh, Cameroon, China, Djibouti, Egypt, Gabon, Indonesia, Jordan, Malaysia, Nigeria, Pakistan, Qatar, Saudi Arabia, Senegal, South Africa and Sri Lanka.

The abstentions were based on the objections from Pakistan, speaking on behalf of the 57 country Organization of the Islamic Conference (OIC) that norms in Muslim countries prohibit leaving Islam as a religion, and were not being honored in the draft resolution. Portugal, speaking on behalf of the European Union (EU) said over 40 paragraphs in the draft resolution was eliminated in an attempt at consensus with the abstaining states, but consensus over the right to leave one's religion or belief was **inviolable** and could not be compromised. The Resolution passed with this paragraph included:

**Human Rights Council Resolution 6/37: Elimination of all forms of intolerance and of discrimination based on religion or belief:**

9. *Urges* States:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without distinction, inter alia, by provision of effective remedies in cases where the right to freedom of thought, conscience, religion or belief, or the right to practice freely one's religion, including the right to change one's religion or belief is violated:

34<sup>th</sup> Meeting  
14 December 2007

*Adopted by a recorded vote of 29 to none with 18 abstentions:*

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The Resolution (A/HRC/RES/6/37) with recorded votes can be viewed by clicking on this link:

[http://ap.ohchr.org/documents/E/HRC/resolutions/A\\_HRC\\_RES\\_6\\_37.pdf](http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_6_37.pdf)

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**STANDARDS:** [http://www.tandemproject.com/program/81\\_dec.htm](http://www.tandemproject.com/program/81_dec.htm)

**The Tandem Project:** a non-governmental organization founded in 1986 to build understanding, tolerance and respect for diversity, and to prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project, a non-profit NGO, 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 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

The Tandem Project initiative is the result of a co-founder representing the World Federation of United Nations Associations at the United Nations Geneva Seminar, *Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief*, called by the UN Secretariat in 1984 on ways to implement the 1981 UN Declaration. In 1986, The Tandem Project organized the first NGO International Conference on the 1981 UN Declaration.

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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*

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*Postscript: Closing the Gap – International Standards for National and Local Applications*, considers the question of a Convention on Freedom of Religion or Belief followed by a Response from the Special Rapporteur on Freedom of Religion or Belief and The Tandem Project Concept, an option that reflects the inclusive values of the Universal Declaration of Human Rights through human rights-based *Dialogue and Education*.

*Closing the Gap - 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 consider the rule of law and 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 for 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.

**Concept:** *Separation of Religion or Belief and State – SOROBAS.* 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.* This concept 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 a 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 the Alliance of Civilizations Madrid Forum said; “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 has 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.”

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**Education:** Ambassador Piet de Klerk addressing the Prague 25 Year Anniversary Commemoration of the 1981 U.N. Declaration said; “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.”<sup>1</sup>

The 1981 U.N. 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.” With International Human Rights safeguards, early childhood education is the best time to begin to teach tolerance, understanding and respect for freedom of religion or belief.