

THE TANDEM PROJECT
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**UNITED NATIONS, HUMAN RIGHTS,
FREEDOM OF RELIGION OR BELIEF**

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

Separation of Religion or Belief and State

**THE POPE'S U.N. ADDRESS: EXCERPTS ON HUMAN RIGHTS
REACTION: THE HOLY SEE U.N. OFFICE IN GENEVA**

Issue: Pope at the United Nations and Holy See Office in Geneva speak on Human Rights

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

Review: *In U.N. Address, Pope Stresses Importance of Defending Human Rights*, by Ian Fisher and Warren Hodge, New York Times, Saturday, 19 April 2008,

“The Pope “insisted that human rights – more than force or pragmatic politics – must be the basis for ending war and poverty.” The pope believes “The promotion of human rights remains the most effective strategy for eliminating inequalities between countries and social groups, and for increasing security, Benedict told the General Assembly at United Nations headquarters.”

In the protocol for a U.N. visit the pope is considered a head of state, and thus outranks the U.N. secretary-general. The Holy See Permanent Observer State Mission to the UN diplomatically, was eligible to respond to the address of His Holiness from the floor of the General Assembly. The Holy See is the only UN Permanent Observer State that identifies with a religion. The Organization of the Islamic Conference (OIC) representing 57 Muslim countries is the other Permanent Mission to the United Nations that identifies with a religion.

While not a member of the UN Human Rights Council in Geneva, Switzerland, the Holy See can sign and ratify human rights treaty-based covenants, conventions, non-binding declarations and discuss resolutions as an Observer State; on matters of morality and universal inclusiveness the pope called for on Friday.

In U.N. Address, Pope Stresses Importance of Defending Human Rights
By Ian Fisher and Warren Hodge, New York Times, Saturday, 19 April 2008.

In his speech, Benedict touched on themes important both to his three-year-old papacy and his decades of writing as a cardinal and one of the church’s leading intellectuals. At base, the pope presented the idea that there are universal values that transcend the diversity-cultural, ethical or ideological- embodied in an institution like the United Nations, founded to help prevent the ruin of another world war. Those values are at the base of human rights, he said, as they are for religion. Thus religion, he said, cannot be shut out of a body like the United Nations, which he said aims at “a social order respectful of the dignity and rights of the person.

And in a passage that will have particular resonance for the current United Nations leadership, which is trying to establish the right of the outside world to intervene in situations where nations

fail to shield their own citizens from atrocities, the pope said that “every state has the primary duty to protect its own population from grave and sustained violations of human rights.” If states are unable to guarantee such protection,” the pope said, “the international community must intervene with the juridical means provided in the United Nations Charter and in other international instruments.

Permanent Observer of the Holy See to the U.N. Office in Geneva

A just balance in the exercise of these two rights assumes a public function and contributes to special cohesion and therefore the peaceful living together of all minorities and majorities, believers and unbelievers, within the same country...In conclusion the appropriate social and political context within which to promote and protect all human rights, including the profession of a religion, changing or rejecting it, implies the acceptance that human rights are interrelated and that international standards should be translated into judicial legal and national provisions for the equal benefit, protection and freedom of every person. – *His Excellency Monsignor Silvano M. Tomasi, Apostolic Nuncio, Permanent Observer of the Holy See to the UN Office in Geneva.*

REFLECTIONS

The Tandem Project

The First Preamble to the Universal Declaration of Human Rights reads: 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.

Surely one of the best hopes for humankind is to embrace a culture in which religions and other beliefs accept one another, in which wars and violence are not tolerated in the name of an exclusive right to truth, in which children are raised to solve conflicts with mediation, compassion and understanding.

There is an increase in dialogue today between religions and other beliefs to embrace diversity, but few persons, less than one percent of any population, ever participate. This is a challenge. The value of such dialogues is proportionate to the level of participation. For civil society increased participation would create opportunities for education on inclusive and genuine approaches to human rights and freedom of religion or belief.

In 1968 the United Nations deferred passage of a legally-binding convention on religious intolerance saying it was too complicated and sensitive. Instead, they adopted a non-binding declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief. While very worthwhile, the declaration does not carry the force and commitment of a legally-binding international human rights convention on freedom of religion or belief.

Religions and other beliefs historically have been used to justify wars and settle disputes. This is more dangerous today as the possible use of nuclear and biological weapons of mass destruction increases. Governments need to consider whether religions and other beliefs trump human rights or human rights trump religions and other beliefs or neither trumps the other. Can international human rights law help to stop the advance and use of such weapons in the face of this historic truth?

- **QUESTION:** Weapons of mass destruction as history teaches are often legitimized for national security and justified by cultural, ethnic, religious or political ideology. The U.N. Review Conference on the Nuclear Test Ban Treaty and studies on biological and cyber weapons demonstrate advances in science and technology is being used to increase their potential for mass destruction. The question is whether an International Convention on Human Rights and Freedom of Religion or Belief, elevated and supported equally by the U.N. Human Rights Council and U.N. Security Council, would help offset the risk of weapons of mass destruction. Recognition of the need for synergy to balance rights and security is a foundation for solving this issue.

“I am become death, the destroyer of worlds”

- Robert Oppenheimer, quote from the Bhagavad Gita after exploding the first atomic bomb, Trinity 1945.

The Tandem Project believes until a core legally-binding human rights Convention on Freedom of Religion or Belief is adopted international human rights law will be incomplete. It may be time to begin to consider reinstating the 1968 Working Group to bring all matters relating to freedom of religion or belief under one banner, a core international human rights legally-binding treaty.

The Tandem Project a non-governmental organization (NGO) founded in 1986 to build understanding, tolerance, and respect for diversity of religion or belief, and to prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project has sponsored multiple conferences, curricula, reference material 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.