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COMMISSION ON HUMAN RIGHTS
Thirty-fifth session
Agenda item 18

DRAFT DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE
AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

Canada: draft resolution

The Commission on Human Rights,

Bearing in mind General Assembly resolution 33/106,

Taking note of the report of the working group on the draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief (E/CN.4/L.),

1. Notes that the Working Group achieved far-reaching agreement on several substantive aspects of the first articles of the draft declaration but was unable to reach consensus on the question of submission of draft articles to the Commission for adoption;
2. Decides to adopt, on the basis of those proposals on which there was far-reaching agreement, the draft articles contained in the annex to the present resolution;
3. Requests the Secretary-General to invite UNESCO to organize a collective consultation, embracing various established schools of religious thought, on the cultural and religious basis of human rights in relation to the phenomenon of religious intolerance, and to submit the conclusions reached by this consultation to the Commission at its thirty-sixth session;
4. Decides to continue at its thirty-sixth session the elaboration of the remaining articles of the draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief;
5. Decides also to again establish the open-ended working group at its thirty-sixth session and to allot more time to the working group in order that it may complete its task at that session.

Annex

ARTICLE I

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or 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, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's religion or beliefs 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.

ARTICLE II

1. No one shall be subject to discrimination by any State, institution, group of persons or person on grounds of religion or other beliefs.
2. For the purpose of this Declaration, the term "discrimination and intolerance 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 the nullifying or impairing the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

ARTICLE III

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 relating to human rights, and as an obstacle to friendly and peaceful relations between nations.