

**Keynote Presentation:**  
**"Religious Freedom: Dream or Reality?"**  
**An Assessment of the Mandate on Freedom of Religion or**  
**Belief**

**by Professor Abdelfattah AMOR**  
**Special Rapporteur on freedom of religion or belief of the United**  
**Nations Commission on Human Rights**

The United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief was adopted by the General Assembly on November 25, 1981. The Commission on Human Rights, by its resolution of 10 March 1986, agreed, in order to see to the application of this Declaration, to name a Special Rapporteur charged with examining, in all parts of the world, incidents and governmental measures which were incompatible with the provisions of the Declaration, and to recommend measures appropriate to remedy such situations.

In 2001, on the occasion of the 20th anniversary of the Declaration, the title of the mandate was changed from Special Rapporteur on religious intolerance to Special Rapporteur on freedom of religion or belief. This means that the Rapporteur's expertise is not limited anymore simply to manifestations of intolerance and discrimination based on religion or belief but that it includes, from then on, all questions related to the freedom of religion or belief whether at the level of controlling intolerance or discrimination or at the level of their prevention.

Since the creation of the mandate, 37 reports have been presented, of which 16 were general reports submitted to the Commission on Human Rights, 7 were interim reports submitted to the General Assembly, and 14 were reports of visits submitted to the Commission and the Assembly. To these reports there should be added some studies, notably those established in the context of the preparatory process for the Durban Conference on racism and those elaborated in the context of the preparatory process for the Madrid Conference on the freedom of religion or belief in relation to education. Furthermore, an international investigation has been undertaken in the content of school curricula and textbooks concerning religion or belief.

All activities of the mandate appear in the context of two essential preoccupations: on the one hand the controlling of intolerance and discrimination based on religion or belief, and on the other hand the prevention of intolerance and discrimination based on religion or belief. These are the two types of activities that will be the subject of some commentaries that will be followed by general observations.

\* \* \*

Concerning activities related to controlling intolerance and discrimination, they revolve, essentially, around official communications and visits in situ.

\*

Relative to the official communications and to the subsequent answers, one should first indicate that, up to now, 756 communications have been transmitted to 130 States, including 27 urgent appeals. One may note that, since the creation of the mandate, an exponential evolution of the number of communications has been recorded. The minimum number, that is to say 7 communications, corresponds to the date of the setting up of the mandate in 1988, while the maximum number, namely 92 communications, concerns the year 1992. One observes, essentially, three periods of evolution of this very strong rise in the number of communications:

- 1989-1994: 30 communications on average
- 1995-1999 :56 communications on average
- 2000-2002: 89 communications on average

Furthermore, one may note an exponential evolution in the number of States covered by several communications. The sending of several communications to a State was started in 1989 and rose significantly after 1989 and especially in 2000 when at least 11 States were concerned by two communications while one State was regularly in receipt of five communications, and that developed into the practice of the sending of three to four communications by each State. This practice is by no means selective with regard to a given State, but is the reflection of situations or particularly critical cases in a given country. There has been a rise since the year 2000, because this became a regular rather than occasional means of follow-up of serious problems in a particular State.

Concerning the urgent appeals, their number has remained limited, in accordance with the objective which underlay the institution in 1994 of this new type of communication in the mandate on the freedom of religion or belief, namely how to respond in a more efficient and faster manner to very serious situations and cases. This means, for example, cases or situations consisting of extreme manifestations of fanaticism or obscurantism with consequences for the whole of humanity, such as the destruction of pre-Islamic monuments like the statues of the Buddha of Bamyan, or the proposal of the marking of non-Muslims by a distinctive sign on their dress, recalling, notably, the horrors of World War II. These urgent appeals cover also any attacks or risks of attack on people's physical integrity. The urgent appeal is also necessary at the time of attacks on the very essence of the liberty of conscience, belief or religion, as for example the affair of Professor Nasr Hamed Abou-Zid of the University of Cairo in Egypt, who was declared apostate by the Egyptian judiciary which then decided to divorce him from his Muslim wife on the pretext that a Muslim woman cannot remain married to an apostate.

With regard to the reactions of States to the official communications, in a general manner the answers tend to come late; they arrive several months after the transmission. But States are trying to adapt to these requests which have become numerous on the one hand because of the evolving number of communications and on the other hand because of the multiplication of the mandates. The answers, when they arrive, are often enough treated during the procedure following the one of the transmission. The fact remains that a certain number of States, about twenty, have never given any responses to the communications that have been transmitted to them.

The analysis of the communications since the creation of the mandate permits one to establish the seven following categories of breaches of principle:

1. Breaches of the principle of non-discrimination in the domain of religion or belief, namely: policies, legislation and regulations, discriminatory practices and acts, on the one hand in opposition to some communities in the domain of religion or belief, in particular when these communities are minorities or are not related to the official religion, and, on the other hand, in opposition to women, according to the interpretation of the religion or of traditions which purport to be founded on the religion or the belief.
2. Breaches of the principle of tolerance in the domain of religion or belief, namely: policies, practices and acts of religious intolerance issuing from the state or the society, in particular from such non state-controlled entities such as communities in the domain of religion or belief, or such as politico-religious groups, the strongest manifestations of which are linked to religious extremism; and this is also a role of the media in the propagation of a climate of intolerance especially in opposition to some minority communities.
3. Breaches of the principle of freedom of thought, conscience, religion or belief, namely: policies, legislation and regulations, practices and acts contrary to the principle of conscientious objection and to the freedom to change or to keep one's religion or belief.
4. Breaches of the principle of freedom to manifest one's religion or belief, namely: policies, legislation or regulations, practices and acts constituting controls, interferences, prohibitions and abusive restrictions aimed at the freedom to manifest one's religion or belief.
5. Breaches of the principle of freedom to have control of religious property, namely: policies, practices and acts affecting the freedom to have control of religious property, such as confiscations or non-restitution of properties, denial of access to places of worship or to sites which have a religious or spiritual significance (for example sites consecrated by autochthonous populations), closures, attacks and destruction of these places as well as of cemeteries, burial grounds and religious schools.
6. Breaches of the principle of the right to life, to physical integrity and health of all people (religious believers and non believers), namely: policies, practices and acts that show themselves as threats, rough treatment, arrests and detentions, forced disappearances, condemnations to death, executions and murders.
7. Breaches of principles which affect women and show themselves through all categories of breaches of principle. It is important to underline that these breaches of principles are not only the acts of groups and extremist communities, but are also and most often found in society and in official institutions.

Relative to religions and to beliefs covered by the communications, there are grounds to indicate that most communities of religion or belief, throughout the world, have been concerned.

On the one hand there are the religions commonly qualified as "great religions" because of their long history and/or their numerical importance on the international level, namely the religions of Christianity, Islam, Judaism, Buddhism and Hinduism. In this group are evidently included the main currents of each

religion, for example the communities of Catholicism, and of the Reformed and the Orthodox Churches for Christianity.

On the other hand there are the other communities of religion or belief which are in general numerically more limited on an international scale, for example the Baha'is, the Jehovah's Witnesses, the Ahmadis, as well as the humanists or the non-believers. Particular attention was also given to the beliefs and spiritualities of autochthonous peoples.

Concerning the evolution of the breaches of principle affecting religions or beliefs, the Christian religion appears to be the most affected quantitatively, followed in decreasing order by minorities or minority groups including those described as sectarian, then by the Muslim religion, Buddhism, Judaism and Hinduism.

Of course these evolutions must be understood in the context of the mandate on the freedom of religion or belief and its own limits. It is clear that, beyond this classification and its analysis, no religion or belief is safe from violations and that intolerance is not the particular shortcoming of any one State, nor any one category of States, nor of any one religion or belief in particular.

\*

As for visits in situ, they tend, in accordance with the resolutions of the Commission on Human Rights, on the one hand to examine any incidents and governmental measures incompatible with the provisions of the Declaration of 1981 as well as any experiences and positive initiatives in the domain of the freedom of religion or belief and on the other hand to formulate recommendations intended not only for the State visited but also for the international community.

Most States accept requests for a visit and cooperate both at the level of the progress of the visits and at that of their follow-up. A particular mention, in this respect, must be made relative to one visit to the Holy See. Conceived in order to specify the position of the Catholic Church with regard to questions in relation to the freedom of religion or belief, it took place under very good conditions and permitted the establishment of a dialogue and of a very useful cooperation. Visits to the representatives of other great religions are under consideration.

One will notice, however, that a certain number of States continue to refuse visits in situ. This is the case notably for Indonesia, Russia and North Korea. Nor does Israel accept the visits of the Special Rapporteur on the freedom of religion or belief, neither in the general context of his or her mandate nor in the context of Resolution S-5/1 as adopted by the Special Session of the Commission on Human Rights on 19 October 2000.

\* \* \*

The second section of the activities of the mandate concerns the prevention of intolerance and discrimination based on religion or belief, it being understood that such prevention can be ensured, essentially, by dialogue and education.

\*

Dialogue is in itself a value. It takes on a particular importance when it is concerned with religions or beliefs. The certainties and the truths that underlie

these have often, through history, left little space for understanding and tolerance, sometimes thus nourishing tensions and conflicts. For decades, a sustained current of opinion, notably on important fringes of the great religions, has not ceased to put into relief the role of religions as a factor of cooperation and peace. Although sometimes coming up against questions of a dogmatic nature, this current is slowly and progressively developing. Whatever are the difficulties with which it collides, inter-religious dialogue constitutes a means that can help to contain conflicts and sometimes to solve them. By the pedagogy that it can develop, it participates in the prevention of intolerance and discrimination based on religion or belief. Accordingly the mandate on the freedom of religion or belief has granted to inter-religious dialogue a great importance and this has led to initiating or sustaining some activities in this domain on the occasion of in situ visits. It is primordial that contacts between the religions, created by dialogue, create a space for better understanding in order to permit or to reinforce respect for the diversity of religions or beliefs, as they are defined and guaranteed by the international norms of human rights. That is to say that inter-religious dialogue must contribute to the peaceful management and prevention of conflicts and of violations of human rights throughout the world.

I would wish to underline, on this topic, some initiatives which recognize the essential value of inter-religious dialogue or aim to promote it and in which the activity of this mandate is engaged.

Confirming and deepening the rationale of the Nations United Year for Dialogue between Civilizations, the General Assembly, by its Resolution 56/6 of 9 November 2001, established a Global Agenda for Dialogue between Civilizations; article 4 of this Resolution foresees that the dialogue between civilizations can contribute to a great extent to progress in the following domains: promotion of understanding and mutual knowledge between social groups, cultures and civilizations of various regions, including on the levels of culture, religion, education, and information on science and technology. The resolution had previously recalled that human beings must show mutual respect for the whole diversity of their beliefs and that States had committed themselves to do all in their power to ensure that religious sites are fully respected and protected.

In the context of the Year for Dialogue between Civilizations, UNESCO launched programmes for inter-cultural and inter-religious dialogue and developed these programmes, notably in the year 2001 during which numerous events were organized. One may also underline the fact that the General Conference of UNESCO adopted, on 2 November 2001, the Universal Declaration on Cultural Diversity, and that this constitutes a powerful moment for the promotion of tolerance, for respect and understanding of the other. At the level of the UNESCO, it is important to note that to the traditional approach to dialogue, which can be at once relevant but reductive, there has been added the notion of interaction. Indeed reciprocal knowledge can reinforce identities, while interaction focuses light on proximity and pluralism.

One may add too that the Declaration and the Programme of Action of the Durban Conference against racism invite us to the development of inter-religious dialogue as a means for tolerance and understanding. It comes out again, particularly in paragraph 2 of the Declaration that the victims of racism, racial discrimination, xenophobia and related intolerance can "suffer multiple or aggravated forms of discrimination based on other related grounds, such as... religion". Paragraph 8 of the Declaration indicates that: "religion, spirituality and belief play a central role in the lives of millions of women and men, and in the way they live and treat other persons. Religion, spirituality and belief may and can contribute to the promotion of the inherent dignity and worth of the human

person and to the eradication of racism, racial discrimination, xenophobia and related intolerance".

As for the Programme of Action of Durban it requests States "to implement policies and measures that are designed to prevent and to eliminate all such discrimination on the basis of religion and belief, which, when combined with certain other forms of discrimination, constitutes a form of multiple discrimination" (para. 14). It is also asked of States "to promote and protect the exercise of the rights set out in the Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief... in order to obviate religious discrimination which, when combined with certain other forms of discrimination, constitutes a form of multiple discrimination" (para. 79). States are, furthermore, urged "that techniques, mechanisms, policies and programmes for reconciling conflicts based on factors related to race, colour, descent, language, religion, or national or ethnic origin and for developing harmonious multiracial and multicultural societies need to be systematically considered and developed" (para. 171).

One may refer, also, to the title of a text that inspires the mandate in the domain of inter-religious dialogue: the Declaration of the Millennium adopted by the General Assembly in the context of its Resolution 2001/42. The Millennium Summit for World Peace that met in New York in August 2000, brought together for the first time more than one thousand persons responsible for different religions or convictions, and led these people to commit themselves to work in concert to guarantee peace in the world. They underlined their commitment to use their moral authority to contribute to reconciliation and to promote acceptance of diversity. Finally, they signed an engagement in favour of world peace where it is recognized that all religious traditions teach that it is agreed to treat one's neighbour as oneself, whatever the differences that may exist concerning race, religion, ethnic origin, nationality, economic level, age and sex.

Evidently there is a multitude of other important texts on inter-religious dialogue that deserve to be mentioned here. One may limit oneself to recall, in this respect, the text that emerged from the meeting of the Parliament of the World's Religions of 1993 in Chicago and the different texts that emerged from the seminars organized by the High Commissioner for Human Rights for the promotion of inter-religious dialogue.

\*

The second essential factor for the prevention of intolerance and discrimination based on religion or belief is the one of education.

The prevention of intolerance and discrimination based on religion or belief, as also the prevention of all violations of human rights in general, can be ensured primarily by education. This can indeed contribute, in a decisive manner, to the internalization of the values centred on human rights and to the emergence of attitudes and behaviour of tolerance and non discrimination. Thus, the school, as the main element in the education system, can constitute an essential and privileged vector of prevention. One may recall, in this respect, that the Vienna Conference on Human Rights had reaffirmed that: "States are duty-bound, as stipulated in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights and in other international human-rights instruments, to ensure that education is aimed at strengthening the respect of human rights and fundamental freedoms... Education should promote

understanding, tolerance, peace and friendly relations between the nations and all racial or religious groups and encourage the development of United Nations activities in pursuance of these objectives. Therefore, education on human rights and the dissemination of proper information, both theoretical and practical, play an important role, in the promotion and respect of human rights with regard to all individuals, without distinction of any kind such as race, sex, language or religion, and this should be integrated in the educational policies at the national as well as international levels".

Since 1993, particular attention has been given, in the context of the mandate, to questions of education, notably of school education. Charged by the Commission on Human Rights to examine the contribution that education can bring in order to promote religious tolerance in a more efficient manner, I undertook, in 1994, an investigation by the means of a questionnaire addressed to States on problems related to the freedom of religion or belief as seen through the syllabi and textbooks of primary or elementary and secondary educational institutions.

In the light of the results of the analysis of the answers of 77 States to this questionnaire and of other elements drawn from researches made on some countries not having answered, as well as of the experiences of certain international organizations, it was deemed necessary to hold an International Consultative Conference on School Education in Relation to Freedom of Religion or Belief, Tolerance and Non- Discrimination, the goal of the conference being to contribute to the establishment of an international strategy for schools centred on human rights and especially on the struggle against intolerance and discrimination based on religion or belief.

The conference took place 23 to 25 November 2001 in Madrid, in collaboration with the Spanish government, on the occasion of the twentieth birthday of the UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief. More than 800 people were present in Madrid including 80 state-sponsored delegations, the representatives of inter-governmental and of non-governmental international organizations, of communities of religion or conviction, and of national institutions as well as experts. The final document of the conference was adopted on 25 November 2001, by consensus.

In the preamble to the final document, the Conference recalls various general principles to guide all action concerning prevention, notably the principle according to which tolerance implies the acceptance of diversity and respect of the right to difference. It immediately underlines the objective that it has set, namely "the urgent need to promote, through education, the protection and the respect for freedom of religion or belief in order to strengthen peace, understanding and tolerance among individuals, groups and nations and with a view to developing a respect for pluralism". To reach this objective, the final document defines the qualitative criteria to which teaching must answer while especially referring to article 29 of the Convention on the Rights of the Child.

The final document gives expression also to measures of a general order and to targeted measures that it agrees to implement, and in this respect it appeals not only for a contribution from the concerned States, organizations and institutions, but also from all actors in the society, in particular the media, the non-governmental organizations, the groups and communities of religion or belief, and parents.

Since the school should be safe from all political and ideological indoctrination, it is agreed to exercise great vigilance about the content of the teaching. In this sense the Conference esteems that every State "should promote...educational policies aimed at strengthening the promotion and protection of human rights, eradicating prejudices and conceptions incompatible with freedom of religion or belief ... and should take appropriate measures against those which manifest themselves in school curricula, textbooks and teaching methods".

Numerous dispositions of the final document concern the teaching body for which the need of training had clearly appeared at the time of the analysis of the answers of the States to the questionnaire established in preparation for the Conference. These dispositions are inspired by the recommendation of UNESCO on education for international understanding, cooperation and peace and on education relative to human rights and to fundamental freedoms, dated 19 November 1974, in particular in the section dedicated to the preparation of educators.

So that educators can play their role in an efficient manner, it is recommended to States to develop "the motivation of teachers for their action by supporting and encouraging commitment to the human rights values", to prepare teachers "to educate children concerning a culture of respect for every human being" and to encourage "academic research in relation to freedom of religion or belief". It is also recommended to States to "favourably consider..., where appropriate, providing teachers and students with voluntary opportunities for meetings and exchanges with their counterparts of different religions or beliefs" and "encouraging exchanges of teachers and students and facilitating educational study abroad".

The final document recommends "the renewal, production, dissemination, translation and exchange of means and materials for education in the field of freedom of religion or belief" as well as the study and the dissemination of various experiences of education and notably of innovative experiences undertaken throughout the world.

The conference did not fail to insist on the attention that it agrees should be attached to discriminations of which women continue to be victims concerning education and on the necessity to "reinforce the protection of the right of girls to education, especially for those coming from vulnerable groups".

\* \* \*

Any report on the situation of the freedom of religion or belief in the world today seems most troubling if one refers, notably, to the successive Resolutions of the Commission on Human Rights and of the General Assembly, in particular the most recent Resolution adopted by the Commission of the Human Rights in its fifty-eighth session where it noted with concern that serious manifestations of intolerance and discrimination based on religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance continue to occur in numerous regions of the world and threaten the enjoyment of human rights and fundamental freedoms.

However, the assessment of the activities of the mandate since its creation, as much in the domain of control as in that of prevention, can lead to more nuanced appreciations and to perspectives of an evolution in the current state of freedom of religion or belief. Indeed, the comparative analysis of the general reports and



of missions as well as communications addressed in the context of the mandate since it was set up, permit one to note, at the same time, that there are examples of intolerance and discrimination based on religion or belief throughout the world, but also cases and situations which are positive in regard to the Declaration of 1981, and notably that there are improvements in some domains and in some countries. There do indeed emerge the following points of evolution:

a) A progressive decline of anti-religious policies and of total control of the religious sphere in the name of a political ideology; this has happened since the end of the Cold War. This tendency is translated, on one hand, by many States having abandoned the pure and hard "Marxist ideology", by the normalization of State-Religion relations, but also for some by renewed ties and bonds with the traditional "church", and, on the other side, by the persistence for a very restricted number of States of a politics of hostility towards religion, but in a subtler manner namely a display of an official policy of recognition of religion, but actually of instrumentalization of the religious sphere, which becomes a prisoner of the political sphere.

b) The maintenance of discriminatory or intolerant policies with regard to minorities in the context of States having an official religion or an anti-religious secularism.

c) A strong growth of policies in opposition to minorities qualified as "sects".

d) A rise of extremism affecting all religions whether Islam, Christianity, Judaism or Hinduism. This extremism has become, progressively and very often, the action of non state-controlled entities. It is in this case sometimes a matter of fanatical groups and obscurantists, sometimes a matter of groups which have a project concerned with using the political sphere in order to impose their religious interpretation on society, but especially a matter of professionals of extremism instrumentalizing the religious sphere to political ends. Nevertheless, this activism of extremism often depends on the active or passive complicity of national or foreign state-controlled entities.

e) A progression of non-belief within society and of which a militant expression is developing and entering into competition, or even into conflict, with religions.

f) The persistence of forms of discrimination and intolerance imputed to religion and traditions affecting woman and resulting either from state-controlled policies, or from non state-controlled entities, particularly extremist ones, or, in a more general and discreet manner, from the burdens of society as a whole and from the patriarchal nature of the state.

g) A very strong progression of inter-religious dialogue for the control and prevention of conflicts as well as for reconciliation.

h) Relative to the victims of intolerance and discrimination based on religion or belief, they are always very various, whether believers or non-believers, coming from communities of religion or belief or from society in general. However those especially affected are the vulnerable groups including, on the one hand, women, and, on the other hand, minorities.

This assessment is, therefore, at once, a source of concern, but also of hope, like all reality. It says that there are grounds to pursue one's efforts to confront intolerance and discrimination while controlling them on one side and preventing them on the other. It is indeed fundamental to act, daily, in the short term in

denouncing before the international community all incidents incompatible with the Declaration of 1981, but it is also vital to work in the long term on tackling the roots of intolerance and discrimination by means of prevention.

The change of title of the Special Rapporteur on religious intolerance to that of Special Rapporteur on the freedom of religion or belief, by the Resolution 2001/42 of the Commission on Human Rights, surely represents a full recognition of the role of the mandate as well in control as in prevention, that constitute together complementary and indispensable activities.

It remains, evidently, understood that the activity of the mandate, as much as its results, is located in - and is bound to - a larger and more complex context. Indeed, the application of the Declaration of 1981 is not separable from the general question of respect for the whole sweep of human rights, which cannot realize real promotion in the absence of democracy and development. There are grounds to think, from now onwards, that activity for the promotion of human rights should be, in a simultaneous manner, on the one hand an activity for the establishment, consolidation and protection of democracy as the expression of human rights on the political plane, and on the other hand an activity which tends to contain and to bring down extreme poverty and to encourage the rights of individuals and peoples to development, as an expression of human rights and solidarity between human beings on the economic, social and cultural planes. This is to say, as the Vienna Conference on Human Rights put it, that democracy, development and respect for human rights and fundamental freedoms are interdependent and bound intimately together.

Consideration of this context has not created any obstacle to the strengthening of controls in the domain of freedom of religion or belief through the considerable widening of the number of States covered by the official communications, by the strong increase of the number of communications including those for one and the same State, by the institution of the procedure of the urgent appeal and by the growth of the demands of visits in order to guarantee the conduct (on average of two missions per year) as well as by the creation of a procedure of follow-up of the recommendations formulated in the reports of visits.

One may specify, furthermore, that there has been particular usefulness in the addition to the mandate on the freedom of religion or belief of the dimension of prevention by encouragement of and involvement in activities of inter-religious dialogue (by privileging this question at the time of the traditional visits in situ, by establishing visits to the main communities of religion or belief, and by taking part in the international committee for inter-religious dialogue of UNESCO), and by the initiatives aimed at development of a prevention strategy notably in the domain of school education, thanks to the organization of the International Consultative Conference on School Education in Relation with Freedom of Religion or Belief, Tolerance and Non-Discrimination held in Madrid in November 2001. Beyond the activity engaged in this double sector of control and prevention, concrete measures have been proposed on specific and important questions, namely on the one hand extremism, and, on the other, women's condition in regard to religion and traditions:

a) Concerning extremism, whether it stems in reality or in a fictitious manner from religion, whether it adopts, provokes or maintains violence, or whether it borrows some less spectacular forms of intolerance, this curse constitutes an attack not so much on freedom as on religion itself. It is not the particular shortcoming of any one society, of any one State, of any one religion. It is necessary that, with regard to this growing and tentacular phenomenon which

menaces peace and especially affects vulnerable groups (women and minorities), the international community should react by combatting it, notably by the development and the adoption of a minimum of rules and common principles of conduct and behaviour.

b) Concerning women's condition, it is important that the whole range of the applicable mechanisms of the United Nations should establish a common action plan against discrimination and intolerance (supposedly prescribed or justified by religion or traditions) with regard to women.

In a general manner, the mandate on the freedom of religion or belief has known, since its creation to our present day, how to adapt to the challenges and the evolutions in the domain of intolerance and discrimination based on religion or belief. These challenges and evolutions include the increasing role of non state-controlled entities as authors of violations, the development of religious extremism, and the particular treatment to be brought to vulnerable groups, such as minorities and women, as well as specific problems identified by the Commission on Human Rights (for example defamation or racism, racial discrimination, xenophobia and associated intolerance).

The efforts accomplished in the context of the mandate in order to respond to a situation in constant evolution have certainly produced some visible results in the short and medium term, but it is necessary to hope for this in the long term too. These efforts must, however, be redoubled faced with the size of the task; but such an enterprise requires a minimum of human and financial resources in the context of the mandate, and especially the preservation of the credibility of the system of protection and promotion of human rights.

The human and material means are susceptible of being strengthened if the international community or some of its members really want this.

The cardinal question seems to be located elsewhere, however, and to affect one's attitude with regard to human rights. First, the unconsidered development of the mandates and the items of the agenda of the Commission on Human Rights, at the same time as the maintenance of its work methods which have not changed for the essential, have led to absurd situations such as the progressive limitation of the number of pages of the reports that must not exceed 15 pages anymore in single spacing (or 30 pages in double spacing), such as the virtual lack of concern for the translation and distribution of reports, or such as, at the time of the last session of the Commission, the limitation to five minutes of the time for oral presentation of reports. Everything happens, in short, as if the Commission has created mandates for the good of its own conscience while trying to limit their effects on itself. This is at least the impression that emerges from the last session of the Commission.

Then, yet more seriously, since September 11 the struggle against terrorism seems to have to justify even the most serious attacks on human rights coming from states known traditionally for their protection of human rights and for the lessons that they intended to give in this domain. Here is a change whose consequences are not easy to grasp especially as they expose human rights to be conjugated in terms of variability, selectivity and conjuncture. I believe that it is urgent to say, and I say it seriously, that the logic of the reversibility of the protection and promotion of human rights is a discounted logic of humanity, a logic of distinction between us and the other, in short a logic of intolerance, of hate and of confrontations.

It behoves women and men of good will to appeal for tolerance to prevail, for a sense of measure and of reason. We must hope that there is still time to do so.

\*\*\*

Unofficial translation from the French original; all quotations from UN documents have been checked against the language of origin or the official translation, but some references (not in quotation marks) have not been checked against original wording.