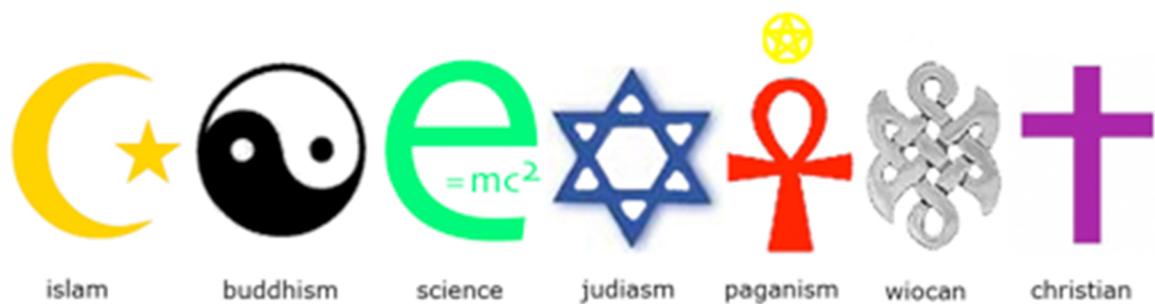


*„Prevention of Discriminatory Practices  
towards Religions“*

coexist



**COMMITTEE GUIDE**  
GENERAL ASSEMBLY'S 3<sup>RD</sup> COMMITTEE



# Imprint

**Content Copyright** © 2013 Oldenburg Model United Nations (OLMUN) Association,  
All Rights reserved.

## Editors

President of the GA 3 <sup>rd</sup> Viktoria Bauer-Hack eMail: ga3@olmun.org	President of the GA 3 <sup>rd</sup> Jan-Philipp Reinhold eMail: ga3@olmun.org	President of the GA 3 <sup>rd</sup> Niels Wächter eMail: ga3@olmun.org
--	---	--

**Published by the Oldenburg Model United Nations Association (OLMUN 2013)**

Helge Wellmann Oskar-Schlemmer-Straße 3 26133 Oldenburg Germany eMail: secgen@olmun.org	Jan Berger Schwarzburgerstraße 8 26180 Rastede Germany eMail: treasurer@olmun.org
---	---

**Homepage** [www.olmun.org](http://www.olmun.org)

**Logo Copyright** © 2013 Helge Wellmann, All Rights reserved.

**Layout Copyright** © 2013 Helge Wellmann, All Rights reserved.

You are allowed to download this committee guide and to copy it for educational uses. However, you are not allowed to reprint or republish it for other Model United Nations or to change it without permission of the Secretary General.

**OLMUN 2013 is supported by:**



# Table of contents

Personal Introduction.....	4
How to use this Guide.....	6
Introduction of the General Assembly's Third Committee.....	6
The topic of this year's discussion.....	6
What has been done by the UN and other supranational organisation?.....	7
Defamation of religion.....	7
Success in recent history.....	7
The UN Special Rapporteur.....	8
Discrimination towards women.....	8
Discrimination towards individuals.....	9
The long way to respect the freedom of religion or belief.....	9
Research.....	10
Sources.....	11

# OLMUN 2013 - Committee Guide

## *General Assembly's Third Committee*

### Personal Introduction

Dear Delegates of the General Assembly's Third Committee,

my name is Viktoria Bauer-Hack and I am honored to be one of your chairs at OLMUN 2013. I am 18 years old and currently attending the 12<sup>th</sup> grade of the Liebfrauenschule here in Oldenburg. Hopefully I will meet you as a fresh graduate in June.

From August 2010 to September 2011 I was an exchange student in Michigan, United States of America. Not only did I improve my English skills, but also gained so much experience during the months. It cannot be described, however it shaped me permanently.

In my free time I like to play Tennis, do some running, read or just hang out with my friends. I came in contact with OLMUN because Catharina Jantos, a friend of mine, who was Secretary General last year in 2012, suggested that I should participate. As a delegate I experienced an exciting week as a delegate of the General Assembly's Third Committee. In November on short notice I was able to attend the BERMUN 2012 as well which was a lot of fun. So this year it will be my third MUN-conference but the first time chairing.

I am really looking forward to meeting you and to have one exciting week together.



Dear Delegates of the General Assembly's Third Committee,

my name is Niels Wächter, I am 18 years old and currently living in Gifhorn. I will graduate from the Otto-Hahn-Gymnasium Gifhorn this year. After school I plan to study physics in Braunschweig.

This year's OLMUN will be my 6<sup>th</sup> conference, but the first one where I chair a committee. My first contact to MUN was in 2010 at the Leiden Model United Nations Conference. The next year I also participated at OLMUN, having represented the delegate of India in the ECOSOC. Since then I regularly attended LEMUN and OLMUN as a delegate and now I am very delighted to serve as one of this year's chair of the GA 3<sup>rd</sup>.



I am very looking forward to meeting you all and hope that you will have as much fun as we had preparing the conference!

# OLMUN 2013 - Committee Guide

## *General Assembly's Third Committee*

Dear Delegates of the General Assembly's Third Committee,

my name is Jan-Philipp Reinhold and I will serve you as one of this year's Chairs of the GA 3<sup>rd</sup> Committee. I am a student from Stuttgart where I study engineering. I am 22 years old and my hobbies are snowboarding, surfing, volleyball, tennis and of course MUN conferences. In my eyes MUNs are really great. You can meet a lot of new people from all over the world, discuss with them about serious topics which may even affect our future on this planet and having fun with them in your committee. I am really looking forward to have a nice time with you guys like in my previous MUNs.



This year's OLMUN is my seventh MUN conference and my third time as Chair. If you promise me to prepare yourself and participate in the debate I will promise you guys that I give my best to guide you through the 13<sup>th</sup> OLMUN conference.

So let's hope for some fruitful debates and well prepared delegates!

Sincerely your GA 3<sup>rd</sup> Chair Team

**Viktoria Bauer-Hack, Niels Wächter and Jan-Philipp Reinhold**

# OLMUN 2013 - Committee Guide

## General Assembly's Third Committee

### How to use this Guide

This committee guide provides a basis for this years' topic that will be debated and discussed in the General Assembly's Third Committee. Though, it is only the foundation for the delegates' research on this topic and is not meant to be used as an all-inclusive analysis. Accordingly, this guide serves as a thought provoking impulse to introduce every delegate to the topic. Indeed, the delegates will acquaint themselves with further information to be well prepared for the discussions and for the debates. This can be done by consulting scholarly materials, international news and more detailed proved background knowledge.

### Introduction of the General Assembly's Third Committee

The General Assembly's Third Committee specifically deals with social, humanitarian and cultural issues. Its aim is to enhance these matters and find good-working, long-standing and commonly accepted solutions. It also focuses on human rights questions and therefore is in close collaboration with the Human Rights Council. Other important topics are the advancement of women, the protection of children, indigenous issues, the treatment of refugees, the promotion of fundamental freedoms through the elimination of racism and racial discrimination and the right to self-determination. This year's OLMUN topic "Prevention of Discriminatory Practices towards Religions" perfectly fits into that context.

At last year's OLMUN the issues relating to the millions of refugees, who are forced to flee from their homes all over the world, have been discussed. This year's topic "*Prevention of Discriminatory Practices towards Religions*" picks some of those aspects up again but also opens up a whole new range of issues that need to be debated on and hopefully be solved. With every country of the United Nations sending a delegate into this committee, many different points of view and many fresh ideas will hopefully come together allowing to tackle discriminatory practices towards religions more effectively.

### The topic of this year's discussion

On this year's agenda of OLMUN is the topic "*Prevention of Discriminatory Practices towards Religions*" and by that the main problem is already named: Many people all over the world have to live in fear because they have a different religion or believe than the majority of their country's people and thus experience religious intolerance. They suffer from several kinds of discrimination, e.g. a limited access to public education, health services or public posts. The discrimination may also lead to killing and arresting the people with different beliefs. Although religious freedom is enshrined in all core international human rights treaties and is one basic pillar of the UN, it is not enforced in every member state that signed such treaties.

Oftentimes, the problem occurs when religious spheres interfere with public spheres that are regulated by law, e.g. in Germany there was an attempt to prohibit religious circumcision due to an "invasion of personal privacy", but the German Supreme Court suspended the dispute in favour of religious freedom.

# OLMUN 2013 - Committee Guide

## General Assembly's Third Committee

### What has been done by the UN and other supranational organisation?

#### Defamation of religion

Defamation of religion is an issue that has been repeatedly addressed by some member states of the UN. Several non-binding resolutions have been voted on and accepted by the UN condemning „defamation of religion” like the Universal Declaration of Human Rights. Through that declaration the UN upholds the right to free expression of religious belief in articles 18 and 19 while article 2 forbids discrimination on the basis of religion. Article 18 also allows for the freedom to change religion. The European Convention on Human Rights nearly states the same, but in fact is legally binding on all European Union states.

The General Assembly dealt with religious freedom in 1981 and passed the non-binding “Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief”. This declaration again stresses the freedom of religion and prohibits any kind of discrimination by the state, institutions, groups of persons and individuals. In article 4 member states are obliged to take effective measures in order to prevent and eliminate discriminatory practices towards religion. Furthermore, the declaration acknowledges welfare organizations and humanitarian institutions as being protected by religious freedom.

In 1999 the Organisation of the Islamic Conference (OIC) brought to the UN Commission on Human Rights (which was later transformed into the Human Rights Council) a resolution entitled “Defamation of Islam”. The title was changed into “Defamation of Religions” afterwards and adopted by the Commission without a vote. The resolution urged all states to take all appropriate measures to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance, including attacks on religious places. Within the next six years many similar resolutions were adopted and voted on. Oftentimes, many countries abstain from voting or vote against such resolutions. This may be due to the fact that attempts to legislate against acts of religious intolerance amongst citizens frequently come up against issues regarding the freedom of speech which many fear to be restricted.

#### Success in recent history

However, in recent history there have been many successes – from the toppling of the apartheid regime in South Africa, to the adoption of the UN Declaration on the Rights of Indigenous Peoples, to the extension of voting rights for women in many countries – which should encourage us that inequality and discrimination can be fought against and eradicated. However, the problem still exists in an immense extent all over the world. Therefore it must be emphasized of how much importance it is that constitutions and domestic legislation must guarantee freedom of religion or belief and non-discrimination. In this context, it must be named that some states have adopted provisions in recent years that are openly discriminatory against religious minorities.

A new Constitution adopted in one State in 2008, for example, includes a clause which limits citizenship only to those who adhere to the State religion. It is of much concern that the implementation of this constitutional clause could have a significant negative impact on human rights in the country, including for converts, who risk losing their citizenship and becoming stateless. Those measures that discriminate minorities on the basis of religion or belief violate the human rights standard.

In another state, subsequent to a referendum in 2009, the construction of minarets was banned and the national Constitution was amended accordingly. It was obvious that such measures

# OLMUN 2013 - Committee Guide

## General Assembly's Third Committee

amounted to an undue restriction of the freedom to manifest one's religion and constituted clear discrimination against members of the Muslim community.

Therefore it is of great importance to work against such actions to provide security and eliminate discriminative practices towards beliefs and religions. In addition, the need to continue raising awareness and educating people about religious diversity, thus eliminating the grounds for fears which are prone to be exploited for political purposes, must be postulated.

### The UN Special Rapporteur

Besides non-discriminatory provisions in constitutions and other domestic laws, it is vital to put in place effective remedies for cases of human rights violations. Numerous communications were sent by the UN Special Rapporteur on freedom of religion and belief, whose duty is to examine, monitor, advise and publicly report on human rights problems, to governments in individual cases in which freedom of religion or belief, including the right to change one's religion, was allegedly violated.

In one case, for instance, a convert to Christianity approached the national registration department, requesting that the religious status is supposed to be changed on her identity card. However, the administration rejected her application and national court decided that the religious court had complete jurisdiction on conversion to Islam and, by necessary implication, would have jurisdiction on apostasy and conversion out of Islam. It should be one's voluntary and legitimate decision to adopt a certain belief or religion which necessarily entails the freedom to choose a belief or religion, including the right to replace one's current religion or belief with another or to adopt atheistic views. The Article 18 of the International Covenant on Civil and Political Rights protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. Violations of human rights seem to have particularly affected members of religious minorities. Their vulnerable situation is worsened when Governments target religious minorities by registering names and harassing those individuals. States are not only obliged to protect their own citizens; they also must ensure that no one within their jurisdiction suffers from human rights abuses and must bring to justice all perpetrators of violations of these rights. Included in this postulate is the obligation to investigate any occurrence of violence due to interreligious or interreligious tensions, including the identification and prosecution of alleged perpetrators, and allow victims to file claims for the damage they have suffered. Also states must ensure the protection and security of members of religious communities which may be viewed as a target and which should be entitled to practice their religions freely and without any obstacles.

### Discrimination towards women

Just as much, there are a number of practices that discriminate against women or are harmful to their health, such as female genital mutilation, infanticide, cruelty to widows, honor killings and discriminatory personal status laws. Many of the practices are attributable mainly to cultural interpretations of religious precepts or even conflict with the prescriptions of religions. Some practices are claimed as religious duties by religious leaders, communities or states as part of their traditions they have lived for a long time. All this makes it particularly difficult to challenge and adequately address such harmful practices. Regarding female genital mutilation, for example, States should punish those performing such harmful practices and provide assistance in securing alternative sources of income for practitioners, for example as birth attendants. In terms of preventive domestic measures, States should be encouraged to develop legal literacy and training strategies at all levels of society, with the aim of modifying discriminatory cultural norms and attitudes towards the topic. In this context, dialogue between the authorities and religious leaders and other members

# OLMUN 2013 - Committee Guide

## General Assembly's Third Committee

of society, including medical practitioners, political leaders, education authorities and the media, is an important prevention measure. States should adopt adequate measures to provide criminal law protection for women against violence curtailing from traditional cultural practices that represent a threat to their health and lives. With the goal in mind to achieve lasting improvements, action to eliminate violence against women should not only have the effects of the phenomenon as a goal but also its root causes. Additionally, States should strengthen monitoring mechanisms which play a role in the protection and promotion of women's rights.

### **Discrimination towards individuals**

Discrimination against individuals on the basis of belief or religion when accessing education, medical care, employment, humanitarian assistance or social benefits, can still be observed in some countries, as well. Members of religious minorities seem to be particularly vulnerable to discrimination and denial of their rights, including access to education. Expelling students from schools or universities due to their religious beliefs poses still a problem nowadays in many places.

Furthermore, some states still unduly restrict the right to worship, assemble or teach in connection with a religion or belief. It is therefore of great importance to establish and maintain measures that enable individuals or communities to openly live their belief and to have the right to spread relevant publications in this area. Particularly respectful exposure with religious sites and their protection must be a priority in any adopted constitution concerning the topic to prevent any acts or threats of violence. For instance, during and after an armed conflict in one state in 2010, more than 100 churches, monasteries and mosques were damaged or destroyed. In addition, graveyards were destroyed and many of the tombs were desecrated by scattering around the bones found in them. Such actions pose no tolerant attitude towards cultures or any respect for the diversity of religions and for religious sites at all, which however, represent an important aspect of the collective heritage of humankind.

### **The long way to respect the freedom of religion or belief**

Moreover, with concern it is often seen that the freedom to establish and maintain religious, charitable or humanitarian institutions is not always fully under the terms of appropriate national legislation and in conformity with international human rights law. On a domestic level, some religious minorities are, for example, not authorized to extend their religious activities into social, health or educational matters. Except if by such an institution the public safety, order, health or morals, or the fundamental right of others would be at risk, any restriction would be considered discrimination.

In order to strengthen peace, understanding and tolerance among individuals, groups and nations, and with a view to developing a respect for pluralism, education is one of the most important terms to achieve the goal for protection of and respect for freedom of religion or belief. In addition, interreligious and interreligious dialogue may be an important tool for preventing misunderstanding and discrimination based on religion or belief. Artists, journalists and lawyers may also be important in terms of public education regarding religious tolerance and in building bridges between different communities. Furthermore all the media should, as a moral and social responsibility, play a role in combating discrimination and in promoting intercultural understanding.

These mentioned aspects are supposed to provide impulses concerning finding solutions to this topic. However, it is not enough to only use the ones at hand considering they are only a glimpse of what may be important for tackling the problem. Therefore feel free to browse on your own and create own ideas to put into your resolution.

# OLMUN 2013 - Committee Guide

## General Assembly's Third Committee

### Research

When researching your country's position towards the prevention of discriminatory practices towards religions, the various measures it has or has not taken yet, the existing programs and what possible new measures you as a representative could introduce, we suggest to follow our little road map, thereby you will be best prepared when the conference starts and be able to participate in debates.

1. Begin with your research in time!  
It is important that you start with your researching work early otherwise you will run out of time and won't be able to join in the discussions as much as you may want to.
2. Use a variety of sources for your research!  
Remember that the committee guide is simply a steppingstone to help you get started on your research, and it does not provide you with all the information concerning the topic. Please use the Committee Guide to get an overview into the topic, but read the given sources and United Nation's documents, such as passed resolutions.
3. Find out how your country is affected by this topic and what measures it has already taken or even not. An aspect you should never dare to forget is that at a MUN conference you are not required to elaborate a resolution that you can personally imagine, but one that your country would support.
4. You will be required to come to OLMUN 2013 with a draft resolution and a policy statement. For instructions on how to write a resolution, please read the handbook of OLMUN 2013. Of course, you shall not copy the statements your country has already drafted, but rather think of new approaches to tackle the problem. Nevertheless the resolution must fit to your country's position as you are a representative. So your goal should be to write a self-contained resolution that can be presented in our committee. If you need any help you can always contact us and reach us via E-mail at [ga3@olmun.org](mailto:ga3@olmun.org). Every delegate should send us his draft resolution and his policy statement till **Friday the 24th of May** so we can give you a short feedback on your work.
5. Before we start lobbying, you have the opportunity to present your country's opinion to the house by means of reading out your policy statement. Your policy statements should be concise (not more than 150 words) and shortly outline the major points of your resolution. This is supposed to simplify the lobbying process.
6. Be familiar with the Rules of Procedure! Of course we will give you a short overview at the beginning of the first committee session, but this does not make it unnecessary to be prepared.
7. Most importantly: Bring all your enthusiasm to OLMUN! Bring your willingness to debate and compromise, and be eager to participate even if OLMUN 2013 is your first MUN-conference. Do not be shy or intolerant but open-minded and diplomatic. We will be looking forward to one of the best OLMUN conferences with great results!
8. Some sources for research that you can use are first of all the CIA World Fact Book to get first information about your country. Moreover to get into the topic, read the United Nation's documents such as passed resolutions and reports of the Secretary General or the UN Special Rapporteur which can be found on the UN website. Also, try to stay up to date with the latest news concerning the topic and your country! Do not forget to look for some sources on your own!

# OLMUN 2013 - Committee Guide

## *General Assembly's Third Committee*

### Sources

Here are the sources we used and some additional sources which can be used to research your countries position and work out your resolution:

1. <https://www.cia.gov/library/publications/the-world-factbook/>
2. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/470/47/PDF/N1047047.pdf>
3. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N12/461/30/PDF/N1246130.pdf>
4. [http://www.religioustolerance.org/un\\_dec.htm](http://www.religioustolerance.org/un_dec.htm)
5. [http://www.un.org/en/events/humanrightsday/2009/discrimination\\_religious.shtml](http://www.un.org/en/events/humanrightsday/2009/discrimination_religious.shtml)  
[http://en.wikipedia.org/wiki/Defamation\\_of\\_religion\\_and\\_the\\_United\\_Nations](http://en.wikipedia.org/wiki/Defamation_of_religion_and_the_United_Nations)
6. <http://www.humanrightsfirst.org/2011/12/20/the-u-s-is-not-opening-the-door-to-limiting-freedom-of-speech/>
7. <http://heinonline.org/HOL/LandingPage?collection=journals&handle=hein.journals/ajil82&div=38&id=&page=>
8. [http://www.ohchr.org/Documents/Issues/Religion/Krishnaswami\\_1960.pdf](http://www.ohchr.org/Documents/Issues/Religion/Krishnaswami_1960.pdf)
9. [http://en.wikipedia.org/wiki/Religious\\_discrimination](http://en.wikipedia.org/wiki/Religious_discrimination)
10. [http://en.wikipedia.org/wiki/Religious\\_intolerance](http://en.wikipedia.org/wiki/Religious_intolerance)
11. <http://www.change.org/petitions/un-convention-against-all-forms-of-religious-discrimination>
12. <http://www.dimun.info/Archive/researchreports/HRC%20T1.pdf>
13. <http://www.un.org/Depts/german/gv-early/ar36055.pdf>
14. <http://www.un.org/News/Press/docs//2012/ga11331.doc.htm>
15. <http://www.freedomhouse.org/issues/religious-freedom>
16. <http://www.freedomhouse.org/programs>
17. <http://www1.umn.edu/humanrts/instree/d4deidrb.htm>