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THE AMERICAN JEWISH COMMITTEE

date December 20, 1984
to Marc Tanenbaum
from Sidney Liskofsky
subject UN Seminar in Geneva on religious intolerance

This is my oral statement as finally presented at the UN Religious Intolerance Seminar. It is extensively changed from the original version and touches on diverse views expressed on a range of issues in both the background papers and oral presentations. In the latter portion, at the private request of the Costa Rican Special Rapporteur and the Japanese representative, I endorse the idea of a second UN Seminar in Costa Rica and a major study program on religious intolerance at the Tokyo-based UN University.

I also placed the International League on record in asserting that members of UN bodies have the responsibility to dissent publicly from statements by any colleague that is demeaning or threatening to a religious or other group. This was deliberately said low-key, and was therefore all the more effective, since it came several days after the flare-up from the horrendous Saudi Arabian tirade had subsided. Incidentally, not only the Costa Rican and US representatives spoke out critically (as the JTA reports), but also the Canadian and West German.

Some of the main themes in my statement are directed to assertions in the background paper of Adam Lopatka, the Polish Minister of Cults, who had been elected Seminar chairman. I dissented from his two main themes concerning permissible limitations on rights and non-interference in internal affairs (without citing him specifically in the latter connection), but endorsed his positive suggestions. He is a very smart and cagy character who must walk a tight rope between the political forces operative in his country. I got to know him at the Madrid meeting and he was especially friendly to me in Geneva.

As you can see, my statement covered a lot of ground and, if you will permit some self-congratulation, it was very favorably received.

P.S. Regarding the Saudi Arabian incident, see the attached JTA and Le Monde news items. The tirade is very significant because the representative from whom it came very spontaneously is counselor to the king. It is revealing of what lurks in the breasts of powerful Muslims even as their formal documents - for example, the Saudi-Arabian background paper - boast of their commitment to religious tolerance, their respect for the Jewish religion and their favorable treatment of Jews.

SL:DG

MEMORANDUM

UN SEMINAR ON THE ENCOURAGEMENT OF
UNDERSTANDING, TOLERANCE AND RESPECT IN MATTERS
RELATING TO RELIGION OR BELIEF

GENEVA, SWITZERLAND, DECEMBER 3-14, 1984

STATEMENT
BY SIDNEY LISKOFKY

FOR THE
INTERNATIONAL LEAGUE FOR HUMAN RIGHTS

Mr. Chairman, though less than perfect in some respects, due to exceptions, generalities and omissions, the 1981 Declaration is a document of historic significance: it was adopted by consensus; it is specific (notably in its sixth article), and it is the only UN instrument devoted exclusively to combatting discrimination and promoting tolerance and understanding in matters of religion or belief. Though not legally binding, it helps to clarify and to reinforce relevant principles in various binding instruments, especially Article 18 of the Covenant on Civil and Political Rights. As noted in Professor Clark's impressive background paper, the Declaration may be viewed as "an authoritative concrete interpretation by the General Assembly of the obligations contained in the religious freedom provisions of the Covenant on Civil and Political Rights."

Commendable steps have been taken to date by the General Assembly and ECOSOC to encourage educational and promotional activities to help make the Declaration into a living reality. They include, as a beginning, ECOSOC's request (May 1982) to the Secretary General to issue a pamphlet containing the Declaration's text in the UN's six official languages, and to disseminate it on a priority basis in as many other languages as possible. This was a routine, but nonetheless important request, which, to our knowledge, has indeed been implemented in respect to the English, French and Spanish languages, but not yet Russian, Arabic or Chinese, the other official languages. Nor, to our knowledge, has the Declaration been disseminated as widely as it might be in many countries. We urge that steps be taken to this end.

It warrants recalling, in this connection, the many international affirmations of the right to have access to information about one's rights, including those proclaimed in international conventions and other instruments. Professor Lopatka, in his important background paper commenting on the UN's educational role, stresses the importance of publishing international documents and disseminating knowledge about them. Canada's expert has informed the Seminar that in his country, UN instruments are taught in schools as part of general human rights instruction. The International League for Human Rights, in a statement presented to the UN Subcommission on Discrimination and Minorities, has emphasized the shared responsibility both of the state and private groups "to popularize the international standards of human rights to make all members of society fully cognizant of their rights and duties."

We take the liberty, Mr. Chairman, before speaking of "Future Activities," of commenting, very briefly, on the question of "permissible limitations" on the freedom to manifest religion or belief: Professor Lopatka notes in his paper that the freedom to manifest religion or belief, provided in Article 18(3) of the Covenant on Civil and Political Rights and repeated in Article 1(3) of the 1981 Declaration, is subject to the limiting criteria of public safety, order, health or morals, and others' fundamental rights and freedoms. The same provisions, of course, specify that these limitations must be "prescribed by law" and "necessary" and, as Professor Clark and others stricture, "care must be taken that the limitations on freedoms do not swallow up the freedoms themselves." Or, as put in the seminal Krishnaswami study, "public authorities must ensure that any limitation imposed upon that freedom (i.e., to manifest religion or belief) is exceptional; that it is confined within the narrowest possible bounds."

With regards to the central subject of Future Activities, we venture several brief comments. Mme. Odio-Benito, in her splendid paper, suggests that the general human rights mechanisms already operative within the UN system, such as ECOSOC's #1503 procedure, be used to focus attention on abuses of the right to be free of religious intolerance and discrimination. We agree that, despite the confidentiality of this procedure and its other generally recognized technical as well as political constraints, it remains potentially a useful means to this end -- providing the Member States wish it to be. The same may be said of UNESCO's committee concerned with violations of human rights in the fields of education and culture and of the more proven ILO procedures in the fields of employment and occupation. These procedures, of course, should not be applied selectively against violators of the freedom of religion or belief in only one country or region, or in a particular socio-political system. If they are to be credible, obviously, they must be applied even-handedly and fairly.

Equally, perhaps even more promising, is the procedure presently available under the binding Covenant on Civil and Political Rights, whose human rights committee reviews compliance reports from its many States Parties. As suggested by Professor Clark, "national institutions should assist the national government in the task of preparing reports required by the international community under the reporting systems envisaged by the various international instruments of human rights." National institutions, of course, include non-governmental associations, which - he recommends - should be consulted in the preparation of their governments' reports and should be free to comment critically on their contents.

These national reports, which tend in too many instances to be limited to information on constitutional or statutory provisions rather than actual practices, and to be otherwise self-congratulatory, should not only be available for discussion within countries, but also be accessible to scrutiny and comment elsewhere by scholars, legal associations, NGOs, and other interested parties. International law, it is accepted, does not regard mere critical comment on human rights conditions in other countries as interference in their internal affairs.

The International League endorses the view that, in addition to the already existing general mechanisms, it is desirable to establish one or more specific new ones centered on the Declaration. For example, a working group, along the lines of those established to deal with the problems of Disappeared Persons or Indigenous People, has been suggested for dealing with patterns of gross violations of the freedoms in the 1981 Declaration, with particular emphasis on government-sponsored or sanctioned persecution, discrimination or intolerance. This working group could be empowered to receive relevant information from both governmental and non-governmental sources, hold regular hearings, and discreetly and in a friendly manner, discuss its findings with offending governments.

Though some observers of the prolonged UN effort to formulate and adopt the 1981 Declaration are of two minds over whether to recommend that it begin at once to work toward a binding instrument, we endorse Mme. Odio-Benito's view that this effort begin soon. We also share her view that, consistent with the clear intent of Article 6 of the Declaration, its particularizations of the rights encompassed within the freedom to manifest religion or belief are non-exhaustive, and should be amplified in a convention. Among the additional rights to be included, she cites several proposed in the Krishnaswami study, which correspond to some suggested in the significant paper presented to this Seminar by the Holy See (WP.4).

Even should the goal of a convention take a long time to reach - hopefully not as long as the Declaration - we suggest that the drafting process can itself serve as an educational means, providing it engages the active interest and involvement of a wide array of religious and other NGOs, and is not the exclusive preserve of a technical worker dawdling over commas in near empty rooms.

Also, as the WJC observer commented yesterday, the goal should be the highest and not the least common denominator.

We would also like to suggest that the Human Rights Centre arrange further Seminars along the lines of the present one, which for some unexplainable reason - surely not the level of interest in its subject matter - is not attended by very many non-governmental organizations. A possible explanation is the comparatively short time given them to arrange for participation following announcement of the Seminar's dates as well as the late availability of its background papers. A desirable site of a second Seminar, we suggest, would be Costa Rica, the homeland of the special Rapporteur for the study of religious intolerance and discrimination and the location of the American Court of Human Rights and of the Inter-American Institute of Human Rights.

The International League shares fully the views expressed in many of the papers circulated here that, in the words of Professor Lopatka, to protect adherents of religion from intolerance and discrimination, "requires an atmosphere of tolerance, mutual respect for human dignity, promotion of humanistic ideals and freedoms also in the other fields of life." He cites the Polish-initiated General Assembly Declaration on the Preparation of Societies for Life in Peace (1978), which calls on states to "respect the identity and diversity of all peoples" and "to discourage advocacy of hatred and prejudice against other peoples." Pursuant to this Declaration, he suggests, organizations subscribing to religious or non-religious beliefs have the duty to practice tolerance toward

one another, to which end, a major role should be played by priests and teachers, and pursued "in schools and teaching institutions of all types, beginning with kindergartens and ending with universities," including "public as well as private schools." We endorse fully his view that a similar duty rests upon "employer, managing staff and ... leaders of trade unions ..."; on "the press, radio, television"; on "writers, painters, sculptors, playwrights and filmscript authors, film directors and other people of arts and culture" -- and on governments, which "play a decisive role in educating in the spirit of tolerance," through legislation as well as measures in the fields of education and information.

We also see great merit in the suggestion of the experts from Japan and Italy that the Director of the Human Rights Centre, on behalf of this Seminar, invite the UN University in Tokyo to bring together a qualified group of internationally recognized experts to prepare teaching materials on the world's religions and belief systems.

Mr. Chairman, the expert of Canada and other Seminar participants have spoken of the responsibility of governments to set an example by assuming leadership in efforts to combat prejudices leading to intolerance and discrimination. Surely the UN bodies, especially those whose subject-matter is human rights, have a similar responsibility. In our view, the members of these bodies, whether government representatives or independent experts, have the moral responsibility, when a colleague indulges in speech that is demeaning and threatening to a religious or other group, to make publicly known their disappointment and concern.

In conclusion, Mr. Chairman, only time will reveal the effectiveness of the 1981 Declaration in overcoming religious intolerance. Many commentators over the years have expressed skepticism about the value of high-minded declarations, even of international legal instruments. A former representative to the Human Rights Commission has observed that "if human rights consisted of words on paper, all would be well... Self-deception (he said) arises... from believing, naively, that mere words make human rights real." That is to say, the 1981 Declaration will have little impact in the long run unless governments, but even more religious and other national and international non-governmental groups, promote it conscientiously and energetically through education and advocacy efforts. If it is allowed to gather dust on library shelves, it will be nothing more than a footnote for scholars and students. On the other hand, if it is used thoughtfully and with commitment, the Declaration can serve to advance the cause of those who still must struggle to achieve their basic right to freedom of religion and conscience.

December 13, 1984

"When a Polish Minister Presides Over a Seminar on Tolerance"

Geneva - The anniversary of the Universal Declaration of Human Rights, celebrated on December 10 at the Palais des Nations, was presided over by Adam Lopatka, a minister of the Jaruzelski government, who is in charge of church-state relations.

Considering the events of the last three years in Poland, this choice might have surprised numerous observers. Nevertheless, Professor Lopatka also was designated on December 3 to preside over the United Nations Seminar on the promotion of understanding, tolerance and respect regarding the freedom of religion or belief. It was he as well who edited the discussion paper for this meeting, which took place in Geneva until December 14, under the sponsorship of the UN Center for Human Rights.

What cannot be questioned is the Polish Minister's respect for freedom of speech. He permitted a speaker to deliver, without interruption, a forty minute, extremely violent, anti-Semitic diatribe. Mr. Maarouf Al Daoualibi (Saudi Arabia), speaking in a calm manner, in effect revived the calumnies contained in the false "protocols of the Elders of Zion." He affirmed that the Talmud forbids Jewish doctors from treating non-Jews, except to gain experience, and stated that Christian children are killed so that their blood could be used to celebrate the Jewish Passover. He concluded by declaring that Jews should ask themselves why they have been persecuted over the centuries...

Only the following day was the Israeli Ambassador Ephraim Dowek, able to intervene to ask the president and the participants to disassociate themselves from the dangerous statements uttered by the Saudi participant. The American, Canadian and West German delegates took the floor to express their shock at remarks by their Saudi colleague, characterizing them as "unacceptable." For reasons of "geographic distribution," France was not selected to be among 25 states represented at the Seminar, or even to send an observer.

Isabelle Yichniac

DIPLOMATIE

Le Monde, 12/12/84 (vend)

Quand un ministre polonais préside un séminaire sur la tolérance...

De notre correspondante

Genève. — L'anniversaire de la Déclaration universelle des Droits de l'homme a été célébré, le 10 décembre, au Palais des nations, sous la présidence du professeur Adam Lopatka, ministre du gouvernement Jaruzelski, chargé des relations avec l'Eglise.

Etant donné, les événements survenus depuis trois ans en Pologne, ce choix a quelque peu étonné de nombreux observateurs. Il se trouve pourtant que le professeur Lopatka avait été désigné le 3 décembre à la présidence du Séminaire des Nations unies sur la promotion de la compréhension, de la tolérance et du respect dans les domaines se rapportant à la liberté de religion ou de conviction. C'est encore lui qui a rédigé le document de discussion de cette réunion, qui se déroule à Genève jusqu'au 14 décembre, à la demande du Centre pour les droits de l'homme à l'ONU.

Ce qui est indiscutable, c'est que le ministre polonais respecte la liberté de parole. C'est ainsi qu'il a laissé un orateur se lancer pendant quarante minutes d'affilée dans une diatribe antisémite d'une extrême violence. M. Maarouf Al Daoualibi (Arabie saoudite) a, en effet, repris en toute quiétude à son compte les calomnies contenues dans les faux

« protocoles des Sages de Sion ». Il a affirmé que le Talmud interdisait aux médecins juifs de soigner les malades à d'autres fins qu'à titre d'expérience et que des enfants chrétiens étaient assassinés pour que leur sang serve à fêter la Pâque juive. Il a conclu en déclarant que les juifs devaient se demander pourquoi ils ont été persécutés durant des siècles...

Le lendemain seulement, l'ambassadeur israélien, M. Ephraïm Dowek, put intervenir pour demander au président et aux participants de se désolidariser des allégations injurieuses proférées par le délégué saoudien. Il lui fallut trois interventions pour que le ministre polonais, sortant de son silence, lui réponde qu'en sa qualité de président il devait laisser chacun parler à sa guise. Les délégués américain, canadien et ouest-allemand ont pris alors la parole pour exprimer leur stupéfaction devant les propos de leur collègue saoudien, qu'ils ont qualifiés d'« inadmissibles ». Précisons que la France, pour des raisons de « répartition géographique », n'a pas été choisie pour faire partie des vingt-cinq pays représentés au séminaire, même pas au titre d'observateur.

ISABELLE VICHNIAC.

**UNPRECEDENTED ATTACK ON JEWS
AND JUDAISM AT A UN SEMINAR**
By Tamar Levy

JTA
12/13/84

GENEVA, Dec. 12 (JTA) — A United Nations seminar on religious tolerance was used as the platform for an unprecedented attack on Jews and Judaism by the Saudi Arabian delegate who said at one point that Hitler must have had good reasons to want to exterminate the Jews.

The 40-minute diatribe by Dr. Maaruf Al-Mawalibi, was allowed to continue uninterrupted. The President of the Seminar, Adam Lopatka of Poland, did not react to it and refused a request by the Israeli delegate, Hebrew University Prof. Eliezer Ravitzki, that the seminar dissociate itself from the attack.

Apart from Israel, only the United States and Costa Rica, among the 26 nations participating, spoke out against the Saudi's remarks. But many of the delegates privately expressed shock after the session.

Al-Mawalibi's premise was that the Jews should not wonder why they were persecuted for centuries because there must have been good reasons. He claimed it was prescribed in the Talmud that a Jewish doctor was allowed to treat non-Jews only for experimental purposes.

In addition to the U.S., Israel, Costa Rica and Saudi Arabia, the seminar was attended by delegates from Argentina, Brazil, Canada, Egypt, Finland, Greece, India, Ireland, Italy, Jamaica, Japan, Kenya, Morocco, Nicaragua, Nigeria, Pakistan, Poland, Senegal, Thailand, Togo, the Soviet Union and Yugoslavia.



Hertzl Inbar

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ישראל בניו יורק

CONSULATE GENERAL
OF ISRAEL IN NEW YORK

800 SECOND AVENUE
NEW YORK, N.Y. 10017

OXFORD 7-5500



General Assembly

Distr.
GENERAL

A/40/77
11 January 1985

ORIGINAL: ENGLISH

Fortieth session

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

THE SITUATION IN THE MIDDLE EAST

ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE
UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE
OF THE ORGANIZATION

Letter dated 10 January 1985 from the Chargé d'Affaires a.i.
of the Permanent Mission of Israel to the United Nations
addressed to the Secretary-General

Pursuant to the conversation Ambassador Netanyahu had with you some time ago, I wish to bring to your attention some of the more extreme examples of the anti-Semitic outbursts that occurred during the months of November-December, in open forums of the United Nations. I should like also to refer to the previous letters from the Permanent Representative of Israel (see A/39/79 and Corr.1 of 16 January 1984, A/38/713 of 8 December 1983, A/37/392 of 16 August 1982, A/37/542 of 12 October 1982 and A/33/545 of 21 December 1978) on the subject of anti-Semitism.*

1. Mr. Rajaie-Khorassani, Permanent Representative of the Islamic Republic of Iran to the United Nations, speaking in the plenary meeting of the General Assembly on 28 November 1984, stated:

* The terms "anti-Semitism" and "anti-Semitic", as defined in The Concise Oxford Dictionary of Current English, represent hostility to Jews.

(a) "The Zionist problem in the Middle East is not simply a political problem or a military problem; it is a fundamental moral and religious problem; it is a centre of corruption. The people of the Middle East can get rid of this centre of corruption only when the centre is eradicated and those Ashkenazi Jews who travelled to Palestine with mythical dreams go back to their beautiful homes in London and Paris and New York. The Middle East belongs to the Middle Eastern people" (A/39/PV.76, p. 66).

(b) "We think that the final solution to the problem of the Middle East is a very simple solution. We must restore the legitimate Government of Palestine, which has been annihilated once by the Ashkenazi Jews who came to the area as unwanted guests. They must go" (*ibid.*).

2. The representative of Jordan, speaking in the plenary session of the General Assembly on 26 November 1984, said:

"The Nazi sadism applied to Jews became the Israeli sadism to be applied to Arabs. The Nazi ovens built for Jews have been turned by the Israelis into ovens for the Palestinians" (A/39/PV.72, pp. 4-5).

3. The representative of Iraq, speaking in the Special Political Committee on 21 November 1984, under the item (Israeli practices in the Territories), said:

"Yet the real question should be whether a 'Jewish people' actually existed, where it originated and how many different languages it spoke" (A/SPC/39/SR.38, p. 4).

However, the post-war annals of recorded, anti-Semitic statements sponsored by Governments have yet to register viciousness comparable to the remarks of the representative of the Kingdom of Saudi Arabia made on December 5 last in the course of the "United Nations Seminar on the Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief". The content of these remarks is especially serious seen on the background of the forum in which they were made - the United Nations Organization at Geneva.

The notoriety of the person making this statement and his anti-Semitic background are a matter of public record. *Inter alia*, Mr. Ma'ruf Dawalibi served as secretary to Haj Amin-al Husseini between 1942 and 1945 in Berlin when the latter openly aided the Nazi régime. It is to be considered especially reprehensible for the Saudi Government to allow a person with such a record to speak in its name; responsibility for this repugnant expression of racism thus lies fully with the Kingdom of Saudi Arabia.

In his statement, Mr. Dawalibi revived the blood libel of Damascus of 1840 when the Jewish leaders of that city suffered repression and torture: the Jews were accused of killing a Christian priest and gathering his blood for religious purposes. The heads of the Jewish community were tortured to admit to this preposterous accusation.

Translation of the statement, made in Arabic, was not available through United Nations services due to technical difficulties, and was made at the Israel Mission at Geneva.

The following are additional examples from Mr. Dawalibi's speech:

- (a) "What is common between Hitler and Nebuchadnessor? Thousands of years separate between them and they are not of the same country and they are not of the same race. Why did Nebuchadnessor expel and scatter them throughout the world? Why did Hitler want to exterminate them? Why, Sir? Let them examine themselves and ask themselves for the answer. It is because they call themselves the chosen people and allege that they were chosen by God from among all the peoples. I have studied this subject scientifically ..."
- (b) "The Talmud says: 'If a Jew does not drink the blood of a non-Jew every year he will be damned for eternity'."
- (c) "What has brought oppression of the Jewish world from these ancient times to this very day is their belief."

Evidently, a trend is now emerging at the United Nations Organization allowing anti-Semitic rhetoric to be practised with ever-growing impunity. Official statements are being made by representatives of some Member States in the belief, now become conviction, that the United Nations Organization, its Secretariat, the presiding officers at its meetings, or representatives of Member States exposed to this rampant form of racism, will not call the anti-Semites to order, castigate them or prevent them from using the United Nations as a rostrum for ventilating their racial prejudice. The paucity of reactions from the floor proves that, given the atmosphere prevalent at the United Nations, complacency and acquiescence have now taken hold.

Israel, and not Israel alone, believes that this state of affairs must be reversed with determination and alacrity.

Action is called for especially at the United Nations Headquarters: the resurgence of anti-Semitism in many parts of the world can be traced to the encouragement given it by the infamous General Assembly resolution 3379 (XXX) of 10 November 1975, equating Zionism with racism. This resolution is an insult to the courage and the martyrdom of the Jewish people over 18 centuries and to its great national liberation movement. Zionism arose to regain Jewish independence and to stem the very anti-Semitism which has now found shelter and solace at the United Nations Organization.

We therefore urge Your Excellency to condemn forcefully the recurrent outbreaks of anti-Semitic rhetoric at the United Nations and actively consider ways and means of preventing these repeated breaches of the Charter of the United Nations and of the Universal Declaration of Human Rights. For it is greatly to be feared that, barring decisive steps taken by the Secretary-General and the Secretariat, anti-Semitism will be encouraged to take firm root in the

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Organization, soon bearing its bitter harvest of hatred and tragedy, as always in the past. The decline and the decay of the body which fired the imagination of mankind in 1945 will then be the indelible mark of its fortieth anniversary.

I have the honour to request that this letter be circulated as a document of the General Assembly under the items entitled "Report of the Economic and Social Council", "The situation in the Middle East", "Elimination of all forms of racial discrimination", "Elimination of all forms of religious intolerance" and "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

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(Signed) Aryeh LEVIN
Ambassador
Deputy Permanent Representative
Chargé d'Affaires a.i.

