

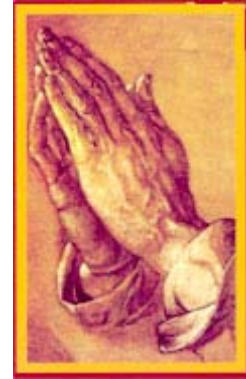
## 四大宗教咨询理事会

**Unity In Diversity ( MCCBCHS )**



**Malaysian Consultative Council for Buddhism,  
Christianity, Hinduism & Sikhism**

四大宗教咨询理事会是由佛教、基督教、兴都教和锡克教组成。



### **A Declaration on Freedom of Religion or Belief & Elimination of Intolerance and of Discrimination Based on Religion or Belief ( January 2002 )**

THE MALAYSIAN CONSULTATIVE COUNCIL OF BUDDHISM, CHRISTIANITY, HINDUISM AND SIKHISM'S DECLARATION ON FREEDOM OF RELIGION OR BELIEF AND ON THE ELIMINATION OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OF BELIEF

Preface

This year 2002 our nation celebrates 45 years of its existence as a free and independent nation under the Federal Constitution. It is opportune to reaffirm this Declaration.

In 1988 this declaration was adopted and affirmed by the MCCBCHS. Since then Malaysian as a nation has progressed amidst many challenges.

The values and truths embodied in this declaration are the building blocks for the creation and sustaining of the foundations of a Just and Fair society.

A polity built on this foundation reflecting justice, as fairness to all communities in the sphere of freedom of religion and practices will be a permanent testimony of the wisdom of our Rulers and its citizenry.

There has been forgetfulness and erasing of our constitutional history as a liberal and secular state. Our social covenant which was and is based on due recognition to the pluralistic nature of our Malaysian community has been threatened by extreme ideological forces based either on arrogance of race or religions dogmatism. The dangers of political religion cannot be overemphasised as it threatens the delicate social fabric of our nationhood.

It is our humble prayer that this Declaration which is based on United Nations precedent(s) reflecting the heritage of our common humanity with the global community will be a source for reflection, resource for law making and administrative policy making and decisions.

CONSIDERING that MALAYSIA is a member of the United Nation and takes her place with the international community espousing the basic principles of the Charter of the United Nations,

CONSIDERING that one of the basic principles of the Charter of the United Nations is that of the dignity and equality inherent in all human beings, and that all member States have pledged themselves to take joint and separate action in co-operation with the Organization to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

CONSIDERING that the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of Intolerance and Discrimination Based Religion of Belief (United Nation Resolution 36/55) and the international conventions on Human Rights proclaim the principle of non-discrimination and equality before the law and the right to freedom of thought, conscience, religion and belief, including the right to choose, manifest and change one's religion or belief, and to manifest his freedom or belief in teaching, practice, worship and observance,

CONSIDERING that the Federal Constitution, being the Supreme law of the land enshrines clear provisions for the protection of religious liberties,

CONSIDERING that the disregard and infringement of human rights and fundamental freedoms, in particular of the right to freedom of thought, conscience religion or belief, have brought, directly or indirectly, wars and great suffering to mankind and may disturb the pluralistic, multi-religious, multi-cultural and multi-ethnic nature of the Malaysian Society and to kindling divisiveness and disharmony,

CONSIDERING that the religion and belief, for anyone who professes either, is one of the fundamental elements in his conception of life and that freedom religion and belief shall be fully respected and guaranteed,

CONSIDERING that it is essential for anyone to actively promote mutual understanding and respect through dialogue in matters relating to freedom of religion and belief so as to strengthen the freedom of religion and belief,

CONVINCED that freedom of religion and belief fundamental to the attainment of the goals of peace, justice and friendship among peoples and communities and to the elimination of ideologies or practices of religious and racial discrimination,

CONVINCED by manifestations of intolerance and by the existence of discrimination in

matter of religion and belief still in evidence in this nation,

CONVINCED that the promotion of Islamization process without due regard to the sensitivities and rights of other religious communities may impair the social fabric and the threaten the fundamental nature of multireligious, multicultural and pluralistic nature of society,

RESOLVED to adopt all necessary measures for the speedy elimination of such intolerance in all its forms and manifestations and to prevent and combat discrimination on the ground of religion or belief,

THE MALAYSIAN CONSULTATIVE COUNCIL OF BUDDHISM, CHRISTIANITY, HINDUISM AND SIKHISM'S HEREBY PROCLAIMS that Declaration on the Freedom of Religion or Belief and the Elimination of ALL Forms of Intolerance and of Discrimination based on Religion or Belief:

#### ARTICLE I

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt or to change one's religion of belief of one's choice, and freedom, either individually or in community with others and in public or private, to manifest one's religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have to change or to adopt a religion or belief of his choice.
3. Everyone shall have a right to share one's religion or belief with another.
4. Freedom to manifest and to share one's religion or beliefs may be subject only to such limitations as are prescribed or beliefs may be subject only to such limitations as are prescribed by law and are strictly necessary to protect public safety, order, health, or morals.

#### ARTICLE II

1. No one shall be subject to discrimination by any State, institution, group of persons or person on grounds of religion or other beliefs.
2. For the purpose of this Declaration, the expression "intolerance and discrimination based on religion or beliefs" mean any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

#### ARTICLE III

Discrimination between human beings on grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations And the provisions of the Federal Constitution, and shall be condemned as

unconstitutional and a fundamental freedoms proclaimed in the Universal Declaration of Human Rights and enunciated in detail in international conventions relating to human rights, and as an obstacle to friendly and peaceful relations between communities and the upbuilding of a harmonious united nation.

#### ARTICLE IV

1. The Government shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.
2. The Government shall make shall efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other belief in this matter.
3. The Government shall notify and consult with the Malaysian Consultative Council of Buddhism, Christianity, Hinduism and Sikhism on any laws or amendments or Executive policies affecting the Freedom of Religion or Belief before the tabling of such laws and amendments and the formulation of such Executive policies.
4. The Government shall accord equal legal protection for the places of worship or assembly, the rites, ceremonies and activities, and the places of disposal of the dead associated with one's religion or belief.

#### ARTICLE V

1. The parents or as the case may be the legal guardians of the child have the right to organize the live within the family in accordance with their religion or belief and bearing in mind the moral education in which they believe the child should be brought up.
2. Every child shall enjoy the right to be educated in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parent or legal guardians, the best interest and welfare of the child being their guiding principle.
3. The child shall be protected from any form of discrimination on the grounds religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for freedom of religion or belief of others, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.
4. In the case of a child who is not under the care either of his parents or of legal guardians, due account shall be taken of their expressed wishes or of any other proof of their wishes in the matter of religion or belief, the best interests and welfare of the child being the guiding principle.
5. The practices of a religion or belief in which a child is brought up must not be injurious to his physical or mental health or to his full development, taking into account Article I, paragraph 3.

## ARTICLE VI

In accordance with Article I, and without prejudice to the provisions of paragraph 3 of Article I, the right to freedom of thought, conscience, religion or belief shall include, inter alia, the following freedoms:

- a. To worship or assemble in connection with a religion or belief, and to acquire and own properties and establish and maintain places for these purposes;
- b. To teach, to disseminate and to learn one's religion or belief and its sacred languages or traditions, to import, write, print and publish books and texts, and to train personnel intending to devote themselves to its practices or observances;
- c. To establish and maintain appropriate religious, educational, charitable or humanitarian institutions;
- d. To observe the rituals, dietary and other practices of one's religion or belief and to produce, acquire and to use or if necessary to import the objects, foods and other articles and facilities customarily used in its observances and practices;
- e. To teach a religion or belief in places suitable for purposes;
- f. To solicit and receive voluntary financial and other contributions from individuals and institutions;
- g. To train, to appoint, to elect or to designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;
- h. To observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief;
- i. To make pilgrimages and other journeys in connection with one's religion or belief, whether inside or outside the nations;
- j. To organize and maintain local, regional, national and international associations in connection with one's religion or belief, to participate in the activities, and to communicate with one's co-religionists and believers;
- k. To invite, recruit and engage suitable personnel from within the nation or from abroad for the performances of any rite, ceremonies, custom and teachings of the religion or belief;
- l. To comment on, engage in and to participate in all matters of public interest including advocacy of human rights, development and justice so as to make positive contribution to nation building;
- m. From compulsion to take part in any oath-taking and ceremonies of a religious nature.

THE MALAYSIA CONSULTATIVE COUNCIL OF BUDDHISM, CHRISTIANITY, HINDUISM AND SIKHISM'S HEREBY SOLEMNLY CALL ON THE GOVERNMENT to accord full and meaningful recognition to the rights and freedoms set forth in this Declaration in both Federal and State legislation and in all administrative policies in such a manner that everyone shall be able to avail themselves of such rights and freedoms in principle and practice.

