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**GENERAL  
 ASSEMBLY**

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 MEETING**

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**Chairman:** Mr. Nemi Chandra KASLIWAL  
 (India).

**AGENDA ITEM 48**

*Manifestations of racial prejudice and national and religious intolerance (A/5129, A/C.3/L.1006/Rev.6, A/C.3/L.1008/Rev.1, A/C.3/L.1009/Rev.2, A/C.3/L.1010, A/C.3/L.1012/Rev.1) (continued)*

**GENERAL DEBATE (continued)**

1. Mr. SHARP (New Zealand) pointed out that in the field of discrimination, an extremely important topic, no country was perfect. His Government was, of course, strongly opposed to any suggestion that one race was superior to another. It also abhorred the idea of anyone being victimized because of his religion. He would therefore support the draft resolution recommended in Economic and Social Council resolution 826 B (XXXII) as well as the amendments submitted thereto, particularly that of the three Powers (A/C.3/L.1009/Rev.2).

2. On the question of the revised draft resolution concerning a convention on the elimination of racial discrimination (A/C.3/L.1006/Rev.2), his delegation felt that, provided a country's laws did not themselves favour discrimination, the problem of removing prejudices could be solved by education, information and example, rather than by legislation. If all acts of discrimination were subjected to the verdict of an enlightened public opinion, the offenders would be inevitably brought to book. On that reasoning, his delegation would have preferred to have a declaration setting up a standard of conduct, rather than a convention. Nevertheless, the problem was one with wide international implications and it was impossible to ignore the fact that 6 million Jews had been put to death because they belonged to a particular race or religion. Since most delegations were in favour of preparing a convention, he would vote for the revised draft resolution, which, moreover, also made provision for the preparation of a declaration.

3. Regarding the Liberian amendment (A/C.3/L.1012/Rev.1), complexities were admittedly involved in widening the scope of the proposed convention by making it apply to religious intolerance as well. His

delegation had nevertheless decided, after listening to the statements made by various delegations, to vote for the amendment. It was, of course, mindful that the Commission on Human Rights had at present a very heavy programme of work. If the Commission should come to the conclusion that the work it already had under study in connexion with that topic was sufficient, or if it encountered other difficulties in conforming to the provisions contained in that amendment, he hoped that any decision which the Commission on Human Rights might transmit to the General Assembly in that connexion would be considered with full understanding of the position.

4. Mr. DIAZ CASANUEVA (Chile) said that a number of Latin American delegations had met to examine, among other things, the Liberian amendment. While they approved the reasons which had led the Liberian delegation to submit that amendment and while they reaffirmed their faith in the principle of religious tolerance, they thought it preferable, for legal and technical reasons, to confine the draft convention under consideration to racial discrimination. They requested the Liberian representative not to press his suggestion, on the understanding that the question of religious discrimination would be placed on the agenda for the eighteenth session of the General Assembly. He proposed that the meeting be suspended for a few minutes in order that the delegations concerned might consult the Liberian representative.

*The meeting was suspended at 3.20 p.m. and resumed at 3.30 p.m.*

5. Begum KHATOON (Pakistan) regretted that, more than fifteen years after the inception of the United Nations, it should still be necessary to discuss the problem of discrimination. In certain countries, such as South Africa, there had actually been retrogression; and even in countries where legislation prohibiting discrimination existed, there was a lack of willingness or determination to apply it effectively. The Committee should therefore do everything in its power to reinforce the spirit of tolerance towards racial and other minorities.

6. Pakistan's new constitution fully safeguarded the legitimate rights and interests of minorities and made no distinction between citizens on grounds of religion, caste or colour. It should also be recalled that Pakistan was one of the few countries to have ratified the Convention on the Prevention and Punishment of the Crime of Genocide.

7. Turning to the documents before the Committee, she first pointed out that, at the seventeenth session of the Commission on Human Rights, her delegation had voted in favour of the draft resolution which the General Assembly was to have considered at its

*1/ See Official Records of the Economic and Social Council, Thirty-second Session, Supplement No. 8 (E/3456), paras. 99-124.*

sixteenth session, but was examining only now at the seventeenth session. She would naturally vote in the same sense in the Third Committee. She would also vote for the three-Power amendment, which made the original text clearer, and for the amendment submitted by Costa Rica and the United Kingdom (A/C.3/L.1008/Rev.1), which was desirable because it proposed a method for verifying the progress made in the resolution's implementation.

8. Her delegation warmly supported the revised draft resolution as she favoured both its purpose and its substance. Admittedly the Charter of the United Nations already proclaimed the principle of non-discrimination; but it did so in a general way, so that a convention on the subject would in no way be superfluous. It might be said that United Nations conventions were to the Charter what a country's laws were to its constitution. Nevertheless, a declaration should perhaps be prepared first, as that type of instrument was less controversial. In any case, the eventual goal should be to arrive at a generally accepted convention. She welcomed the Liberian amendment, the effect of which would be the preparation of other conventions, relating to discrimination based on religion or nationality. Apart from the fact that such a proposal was completely in line with the first two preambular paragraphs, it should not be forgotten that, besides racial discrimination, there were many other forms of discrimination which were no less insidious or alarming. In certain parts of the world, religious minorities were sometimes subjected to harassment that could even take violent forms, resulting in loss of life and considerable damage to property. A convention on religious discrimination was therefore certainly needed, and the Pakistan delegation would support the Liberian amendment.

9. Mr. DARAI (Iran), after emphasizing the importance of the discussion, said that he would be very brief, since he did not wish to repeat what others had stated very clearly before him. Although the principle of non-discrimination was formally recognized by the Charter of the United Nations and the Universal Declaration of Human Rights, its implementation was far from universal and in certain countries racial discrimination, unfortunately, persisted. The preparation of an international convention would certainly be an effective measure for the elimination of racial prejudices, which was one of the fundamental aims of the Charter and the Universal Declaration. His delegation would support the Economic and Social Council's draft resolution and the two amendments thereto. It would also vote in favour of the revised draft resolution and of the Saudi Arabian amendments (A/C.3/L.1011).

10. Mr. YANCY (Liberia) said, with regard to the amendment submitted by his delegation, that his country was naturally extremely interested in having a convention on the elimination of racial prejudice. The Liberian Government had always been, and still was, opposed to racial discrimination. It was sufficient to recall how the question of South West Africa had been brought before the International Court of Justice. It was for reasons of principle, and because it wished to remain faithful to Liberia's policy with regard to all forms of discrimination, that his delegation had been unable to co-sponsor the revised draft resolution. That draft was in fact too limited, and even discriminatory, in that it referred to only one aspect of the complex problem before the Committee.

Furthermore, it was inconsistent, in that its title and preamble referred to the whole problem of discrimination whereas its operative part dealt only with racial discrimination. Admittedly, the Commission of Human Rights had already considered the problem of religious discrimination and was even preparing draft principles on religious rights.<sup>2/</sup> Nevertheless, since the problem had been submitted to the Committee, the latter should treat it as a whole and not in parts. Since many delegations had stated that no religious discrimination existed in their countries, it was his desire to believe that they would not find it difficult to vote for his amendment.

11. Mr. BARODY (Saudi Arabia) recalled that the Committee had decided to devote only three or four meetings to the agenda item under discussion because it had thought that it would be dealing only with racial discrimination, to the exclusion of all the other forms of discrimination, which were innumerable, since the list given in article 2 of the Universal Declaration of Human Rights, though long, was not exhaustive. In any event, he would like to emphasize that the present meeting was the sixth which the Committee had spent on the discussion of the problem of racial prejudice.

12. He would also like to point out that the revised draft resolution was entitled "Preparation of a declaration and an international convention on the elimination of racial discrimination". It bore the heading "Manifestations of racial prejudice and national and religious intolerance" for purely technical reasons, because that was the title of the agenda item under which it had been submitted.

13. The present revision of the draft resolution was the product of much discussion as a result of which attention had imperceptibly shifted towards other forms of discrimination; it was that tendency that was reflected in the Liberian amendment. That proposal had undoubtedly been submitted for the best of motives; since some delegations had brought up the problem of religious discrimination, there were grounds for considering whether it should not be mentioned in the draft resolution. But if the scope of a proposal which the sponsors had intended to deal exclusively with racial discrimination was to be enlarged in that way, reference would also have to be made to discrimination based on opinion or belief. Such a course would, however, be quite unsound, because it was virtually impossible to enumerate all beliefs and opinions. On the other hand, to deal solely with religious discrimination would be unjust to the sceptics, the atheists and the adherents of the many philosophies and ideologies which were increasingly tending to replace religions in the modern world.

14. Moreover, religions themselves took very varied forms. They differed first in their basis, which might be faith, conviction or reason; they also differed in their structure; in addition to organized religions with doctrines, traditions and rites, there were non-conformist religions of a philosophical nature that were often ill-defined in scope and somewhat vague in content. Religions also differed in character: some were subjective and had a psychological and mystical basis; others were ethical and were concerned with observance of a moral code; and, lastly, others consisted in a specific conception

<sup>2/</sup> *Ibid.*, Thirty-fourth Session, Supplement No. 8 (E/3616/Rev.1), para. 90-158.

of life, the materialistic, for instance; finally, they differed in their rites, such as sacrifices and exorcism. If it was decided to prepare a document on the elimination of religious discrimination, it could not be confined to the five or six leading religions of the world, but would have to take account of all existing religions, which was a practical impossibility. Furthermore, in addition to religions such as Buddhism, whose purpose was to give the individual a form of spiritual self-sufficiency, there were others which aimed at bringing the entire world within their orbit. Who would decide where the dividing line between a believer and a fanatic lay? In the interests of excluding religious discrimination, was a State to be prohibited from putting a stop to the activities of an over-zealous religious leader who incited his supporters to take punitive action against anyone refusing to follow him? History showed that religious fanaticism had tragic effects and must not be allowed to develop. It would, therefore, be dangerous to draw up a convention on religious discrimination. At most a declaration might be drafted on the subject.

15. He wondered if the Liberian representative had fully considered the difficulties created by his proposal. It raised issues on which delegations should not take up a position lightly and they should not vote in favour of the Liberian amendment on the ground that they would otherwise lay themselves open to charges of favouring religious discrimination; those were psychological considerations which they should dismiss from their minds. On the pretext of preventing religious discrimination, a State must not be precluded from taking steps required by the general interest, in the field of public health, for instance.

16. The dietetic practices of certain religions might also give rise to difficulties; if the public authorities did not take the necessary steps to provide a particular religious sect with a certain item of food, was it guilty of discrimination towards that sect? That example showed how complex and delicate the problem of religious discrimination was.

17. He accordingly urged the Liberian representative to reconsider his position, particularly in view of the fact that the Sub-Commission on Prevention of Discrimination and Protection of Minorities was at present making a study of non-discrimination in the matter of religious rights and practices. It seemed to him that it would be wise to wait until the Sub-Commission had completed its work instead of wedging the question of religious discrimination into a draft resolution concerned with racial discrimination. He was not averse to the idea of studying religious intolerance, particularly if that were done on the basis of the Sub-Commission's work, and possibly also of preparing a declaration or convention on the elimination of religious discrimination, even though he felt it was a somewhat impractical undertaking. But he saw no reason for such haste. The Liberian amendment would nullify the work the Committee had done on racial discrimination and would completely paralyse the Sub-Commission and the Commission on Human Rights. If the Liberian representative maintained his amendment, he himself would be compelled to submit a sub-amendment to replace the words "all forms of racial and religious discrimination" by the words "all forms of racial discrimination and of any discrimination based on religion, belief, political opinion or any other status".

18. In conclusion, he expressed regret that some delegations had caused the discussion to degenerate into a political debate. In particular, the Australian representative had taken advantage of his right to speak to put forward ideas that came within the province of the cold war. While deploring the plight of the Jews, he seemed to disregard that of the Palestinian Arabs who were the victims of the iniquitous partition carried out by the United Nations in 1947. Why did Australia not offer them refuge on its own soil? Was it not intolerable that, with the backing of powerful interests, the representatives of a particular religion should have established a State at the expense of millions of human beings? Was a deliberate attempt not being made to divert attention from the atrocities committed by the Zionists?

19. Mrs. AFNAN (Iraq) said she was resolutely opposed to the Liberian amendment. In order to justify that amendment, the Liberian representative had argued that the preamble of the revised draft resolution referred to discrimination based on race, colour and religion. She wished to point out that the preamble did not claim to deal with all the forms of discrimination which existed in the world; it mentioned three forms because they were the ones which caused the gravest public concern. The sponsors of the draft resolution had decided that the proposed convention should deal with racial discrimination because that constituted the most odious violation of human dignity. In fact, racial discrimination was particularly odious because it denied the fact that all human beings, by virtue of belonging to the human race, shared a common humanity, had a right to common needs, aspirations, faults and virtues; therein lay the essential difference between that form of discrimination and intolerance based on religion. Religious discrimination was of an entirely different character, as was demonstrated by the fact that the goal of religious wars had been to induce peoples to adopt a particular religion irrespective of their colour or race. She also thought that a convention dealing with the elimination of both racial discrimination and religious intolerance would not have the impact of a convention solely concerned with the elimination of racial discrimination; neither could it do justice to the subject of the elimination of religious intolerance.

20. The question of so-called "anti-zionism" had been introduced to the Committee. Some delegations had expressed concern at its development in the world. The sources they quoted were partisan, the information utterly unreliable. In the past Jews had admittedly been persecuted, particularly in Europe. When the Nazis developed the European concept of racial superiority to an insane conclusion, what action had the countries so concerned to-day taken them? The United Kingdom had offered them a home in a country which was not theirs.

21. Some delegations had advised the Soviet Union to allow Russian Jews to leave the country, but their own immigration laws would not welcome them. They were offering the homes of a million Arab refugees.

22. The Israel representative had come to the Committee to complain of discrimination against Jews and said that one out of every ten Israelis was an Arab and that there was no discrimination against Arabs. Before Israel was established, out of ten Arabs only one was of the Jewish faith. In their own land, a majority of nine to one had been reduced to a minority of one to nine. And the Israel representa-

tive had the cynicism to claim non-discrimination. The Arab inhabitants of Palestine had been driven out of their country. They were prohibited to return because they were not of the Jewish faith. While they lived in refugee camps, anyone of Jewish faith had the right to occupy their homes. Israelis claimed the benefits of religious tolerance. She had a right to claim it.

23. Mrs. ROUSSEAU (Mali) regretted that the atmosphere of the Committee's discussions should be becoming ever more tense. In a spirit of compromise and in order to take account, particularly, of the suggestions made by the Liberian representative, several of the sponsors of the revised draft resolution had decided to amend operative paragraph 1 of their draft. The first part of sub-paragraph (g) of paragraph 1 would read: "two draft declarations, one on the elimination of all forms of racial discrimination and the other on the elimination of religious intolerance, for submission..."; and the first part of sub-paragraph (b) of paragraph 1 would read: "two draft conventions, one on the elimination of all forms of racial discrimination and the other on the elimination of religious intolerance, for submission...".

24. Mr. ATTLEE (United Kingdom), exercising his right of reply, said that the United Kingdom favoured tolerance of all forms of thought, including atheism, and that he himself, in his previous statement, had not intended to criticize that doctrine. He would make no further explanations, since he considered that oratorical duels served no useful purpose.

25. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) thought that she should reply to the question asked by the United States representative (1170th meeting). In the Soviet Union, all laws and regulations, in regard either to passports or to other matters, applied equally to all Soviet citizens, without distinction of nationality, religion or belief. Accordingly, the regulation under which a passport indicated nationality applied uniformly to Russians, Kalmyks, Uzbeks and Jews. That principle was possibly difficult to understand in the United States, where different attitudes were adopted towards blacks and whites, rich and poor, and where the provisions of the Bill of Rights were one thing and their implementation another.

26. She wondered whether the United States representative was aware that in the Soviet Union there was not a single case in which a citizen had been prevented from taking part in elections—a frequent occurrence in the United States—and that in the USSR no one had ever been discriminated against in regard to his choice of dwelling, work or education—a form of discrimination which was wide-spread in the United States. In September 1959, in New York, Mr. Khrushchev, Chairman of the Council of Ministers, replying to a question asked him at a Press conference, had stated that in the USSR all nationals, including Jews, enjoyed equal rights and lived in peace and that, moreover, a substantial number of Jews were high in the ranks of those who worked on interplanetary travel. That was a clear reply to the United States representative's question.

27. If the United States delegation and the delegations which aimed to please it had sought to divert the discussion from racial discrimination and bring it to bear on pure inventions, it was solely in order to distract attention from racialism, which in the United States

was so wide-spread that it could be compared only with that reigning in South Africa. Racialism was so prevalent in the United States that it affected even the diplomatic representatives of the African and Asian countries in New York and at Washington; for example, driving licences in Washington bore an indication of race, and that was not a question of statistics. In fourteen States, the law forbade blacks to travel in the same railway-coaches as whites; in eleven States, it forbade blacks to mingle with whites in trains and buses; in twenty states, it forbade mixed education; and in thirty states it forbade mixed marriages, on pain of penal servitude in certain cases, and sometimes, also, on pain of a prison sentence for the clergyman performing such a marriage.

28. The existence of that situation was, moreover, confirmed by many documents emanating from the United States itself. Some years previously, ninety-eight distinguished representatives of the negro race—members of progressive organizations—had addressed to the General Assembly a petition describing as genocide the living and working conditions imposed on the negroes in the city ghettos and in the cotton plantations. In 1960, Senator Jacob K. Javits had published on the subject of discrimination in the United States a book, based on objective data and statistics, in which he had described the measures of repression taken against the negroes when they tried to exercise their constitutional rights and particularly the right to vote; he had also stated that 27 million Americans, or about one-sixth of the population of the United States, were not free to choose their dwelling, because of their colour or religion.

29. But it was not only against the blacks that racialism operated. It was superfluous to mention the repressive measures which had been taken against the Indians; and even today the Puerto Ricans, for example, were regarded as third-class citizens.

30. In regard to the Jewish question, which seemed to be of special interest to the United States representative, the book by Benjamin R. Epstein and Arnold Foster, *Some of my best friends*, published in 1962, showed that anti-semitism had not died with Hitler and was deeply imbedded in the American subconscious mind. That book, based on documents, proved that some 5.5 million Americans were discriminated against in various fields and particularly in the matters of education and accommodation.

31. Mr. YANCY (Liberia) wished to assure the Saudi Arabian representative that his amendment was not designed to introduce the idea of religious discrimination into the draft resolution surreptitiously, for some political reason. It was based on what his delegation believed and on the principles which it was concerned to defend, and had been submitted after careful consideration. If the new version of the draft resolution on racial discrimination were to provide for the preparation of two conventions, one on racial discrimination and the other on religious discrimination, he would be happy to withdraw his amendment and to enter his delegation as a co-sponsor of the draft.

32. Mr. BARODY (Saudi Arabia) observed that, although his delegation was one of the sponsors of the revised draft resolution, it had not been consulted with regard to the new version of which the Malian representative had spoken. He could of course withdraw his delegation from the list of sponsors, but he

wished to point out that that revised version in fact constituted a new text which might well give rise to a fresh debate. He thought that discussion would be simplified if the elimination of religious discrimination was made the subject of a separate draft resolution.

33. Mr. WHITE (Australia) assured the representatives of Iraq and Saudi Arabia that he fully appreciated the problem arising in the Middle East, but pointed out that the Special Political Committee could give to that problem all the attention it deserved when it examined item 31 of the agenda of the General Assembly, entitled "Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East".

34. Mrs. TREE (United States of America) took strong exception to the malevolent half-truths to which the Soviet Union representative had just given voice. That representative had mentioned a book by Senator Javits which was several years old and which took no account of recent progress; she had, moreover, been careful not to quote the passage in which the Senator had remarked that the Russians had made use of every racial incident in the United States in an attempt to distract attention from the terror reigning in their own totalitarian State and to discredit the Western Powers.

35. The position of the United States Government was clear—it was unreservedly opposed to discrimination in any form. The United States was a free society, open to any scrutiny and any criticism, while the Soviet Union was a monolithic empire which cloaked itself in secrecy and suppressed freedom of speech. The United States did not seek to conceal the fact that in many respects it had not yet achieved the goal it had set itself in the Bill of Rights; but it should be borne in mind that discrimination existed in all parts of the world, including the Soviet Union. The United States was prepared to accept criticism from the Soviet Union or from any other Government, provided that it was not based on distorted facts or on out-of-date information.

36. She pointed out that she had put two questions to the Soviet delegation, which had not replied to one of them and had answered the other only somewhat confusedly. However, she would not dwell on the matter, since the United Nations was the parliament of mankind and the Third Committee should do all in its power to promote peace and progress. She suggested, therefore, that the Committee should resume its consideration of the draft resolution which proposed the preparation of a declaration and a convention, or two conventions, on the elimination of racial and religious discrimination.

37. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) expressed surprise that facts given in a book published in 1960 could be considered out-of-date. She appealed to the United States delegation to abandon its attempts to prove to the world that the situation in its country was entirely satisfactory, and asked it to support with its vote the draft resolutions before the Committee, which were vital for millions of human beings still suffering from racialism and

colonialism. She hoped, too, that the United States would become a party to the Convention on the Prevention and Punishment of the Crime of Genocide, and to the Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, and that, as stated recently by the Attorney General, it would intensify its efforts to eliminate religious prejudice and racial discrimination. She hoped that the discriminatory laws which she had mentioned earlier and which were in direct conflict with the Charter of the United Nations and the Universal Declaration of Human Rights would be rescinded, and that the United States Government would take legislative and other measures to end a policy of segregation which outraged public opinion not only in the United States but throughout the world.

38. Mr. DAS (Secretary of the Committee) recalled that the representative of the Soviet Union had requested (1169th meeting) that the Secretariat should distribute the full texts of the statements made by the representatives of Czechoslovakia and Mauritania during the general debate on the item under discussion. He regretted that, under the existing rules and decisions of the General Assembly concerning the control and limitation of documentation, the Secretariat was unable to comply with that request. The Secretariat would be glad, however, to distribute to the members of the Committee copies of texts which it might receive from the representatives of Czechoslovakia and Mauritania.

#### CONSIDERATION OF DRAFT RESOLUTIONS

##### *Draft resolution recommended in Economic and Social Council resolution 826 B (XXXII)*

39. The CHAIRMAN noted that the debate on the draft resolution under discussion had been completed, and invited the Committee to vote thereon as well as on the amendments thereto.

40. Mr. DIAZ CASANUEVA (Chile) drew attention to an error of translation in the Spanish text of the three-Power amendment. The word "activamente" should be substituted for the word "energicamente".

41. The CHAIRMAN assured the representative of Chile that the necessary correction would be made.

42. He put to the vote the three-Power amendment (A/C.3/L.1009/Rev.2).

*The three-Power amendment (A/C.3/L.1009/Rev.2) was adopted by 75 votes to 1, with 11 abstentions.*

43. The CHAIRMAN then put to the vote the amendment of Costa Rica and the United Kingdom (A/C.3/L.1008/Rev.1).

*The amendment of Costa Rica and the United Kingdom (A/C.3/L.1008/Rev.1) was adopted by 86 votes to 1, with 3 abstentions.*

44. The CHAIRMAN put to the vote the draft resolution, as a whole, as amended.

*The draft resolution recommended in Economic and Social Council resolution 826 B (XXXII), as a whole, as amended, was adopted unanimously.*

The meeting rose at 6 p.m.