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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.3, A/C.3/L.1008-1009) (continued)

GENERAL DEBATE (continued)

1. Mr. KOCHMAN (Mauritania) introduced the third revision of the text of the draft resolution concerning an international convention on the elimination of racial discrimination (A/C.3/L.1006/Rev.3). The new text differed from its predecessor mainly in calling for the preparation of a declaration on the elimination of all forms of racial discrimination, to be prepared for the eighteenth session of the General Assembly, and for a draft convention on the same subject to be submitted to the nineteenth session. In addition, a more realistic date of 15 June 1963 had been fixed for the submission by Governments of their recommendations regarding the proposed convention. The scope of the two documents had been restricted to racial discrimination in all its forms, since it was felt that religious discrimination would be dealt with separately by the Commission on Human Rights.
2. In conclusion, he appealed to all delegations to support the draft resolution and to submit suggestions for improving it further.
3. Mr. BOUQUIN (France) recalled that although the item before the Committee had its origin in the anti-Semitic demonstrations which had occurred in a number of countries in 1959 and 1960, the resolution which had emerged from the subsequent deliberations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights and the Economic and Social Council (Economic and Social Council resolution 826 B (XXXII)) had been broadened to cover all manifestations of racial prejudice and national and religious intolerance.
4. Discrimination, which could be found in many different fields, was a complex problem. It could originate in the law or in practice, and result from the acts of public authorities as well as those of private individuals and groups; it could be manifested directly or indirectly, as the work of the Sub-Commission showed. Legislative measures were in some cases indispensable both in order to reform laws that

were themselves discriminatory or conducive to discrimination and in order to prohibit and discourage doctrines and ideas that would lead to discrimination. Even in a country such as France, slander and insult were punished more severely when committed to incite citizens or nationals to hatred of a group of persons belonging, by origin, to a particular race or religion.

5. Legislative steps alone, however, were not enough, for it was in the minds of men that racial prejudice and intolerance were born, and the law was not always able to change states of mind. It was necessary to teach, particularly in the schools and universities, the origins of discrimination and intolerance so that those evils could be analysed and methods evolved of combating them. A successful beginning had already been made by UNESCO and it would be interesting to hear a report on the subject from the UNESCO representative.

6. Education in the narrow sense was not sufficient either. As recent history had shown only too vividly, whole peoples, even of a high level of culture, could be led into the way of prejudice and discrimination. It should be aimed at instilling, in the minds of men, civic feeling, mutual understanding and a sense of individual responsibility. It should be oriented towards democracy. There the non-governmental organizations had an important role to play, not merely through international conferences on discrimination, valuable as those were, but through constant daily effort. The information media, particularly the powerful audio-visual media deriving from recent advances in telecommunications, could also do much in the fight against discrimination, in which no method should be overlooked.

7. It was for those reasons that the French delegation welcomed and would vote for the draft resolution recommended in Economic and Social Council resolution 826 B (XXXII). It also welcomed the three-Power amendment to that resolution (A/C.3/L.1009), since it shared the sponsors' concern that operative paragraph 3 of the resolution might, in its existing form, be used as an excuse for suppressing freedom of expression. The wording of the French version of the amendment was, however, somewhat imprecise and could perhaps be improved: the phrase "sous quelque forme que ce soit" should not relate to the creation or propagation of prejudices and intolerance but to prejudices and intolerance themselves. It would also be more logical to place the word "creation" before "propagation and dissemination"; in that connexion, he failed to see much difference between the words "propagation" and "dissemination".

8. The Costa Rican amendment (A/C.3/L.1008) seemed somewhat unnecessary as it stood, since the periodic reports on human rights submitted every three years by Governments made a more appro-

ropriate channel for reporting on compliance with the resolution.

9. He was glad to see that the sponsors of the draft resolution concerning an international convention on the elimination of racial discrimination had retained the reference to discrimination based on religion to which the Saudi Arabian representative had objected (1166th meeting). Apart from the fact that it was right to show that discrimination affected many different fields, the question of religious intolerance covered equally well the case of agnostics and atheists.

10. The draft resolution did not mention which body was to prepare the draft declaration, an omission which ought perhaps to be corrected. With regard to the proposed convention on the elimination of racial discrimination his delegation was a little perplexed about the form which such a convention could take. As had already been pointed out, a convention was an instrument with precise legal provisions and a global convention on discrimination would raise a number of problems. Discrimination had to be examined in terms of human rights, since it consisted in the denial of those rights. Where there were no human rights, there was no discrimination. It was by analysing each right that it was possible to see where discrimination could operate in regard to that right and how it could be prevented. The whole task of the Sub-Commission on Prevention of Discrimination and Protection of Minorities had been to dissect the Universal Declaration of Human Rights in that manner. Its work had led, in particular, to the preparation of the UNESCO Convention against discrimination in education, adopted in Paris on 14 December 1960.^{1/} Furthermore, the Commission on Human Rights had produced the draft International Covenants on Human Rights which, when adopted, would carry precise legal obligations. It was a little difficult to see what scope was left for a global convention on the elimination of discrimination. However, his delegation entirely agreed with the sponsors' objectives and welcomed the fact that they had brought such an important point to the Committee's attention. It was only the question of methods which gave it cause for hesitation.

11. Mrs. DEMBINSKA (Poland) said that war, colonialism and racism were the most urgent problems that could be eliminated by the joint efforts of the international community, which in so doing would serve the cause of peaceful coexistence and help to put an end to the cold war. The Polish delegation therefore warmly welcomed the draft resolution recommended in Economic and Social Council resolution 826 B (XXXII) which served that end.

12. It also welcomed the revised draft resolution concerning a convention on the elimination of racial discrimination which concentrated on the problem of racism. Racism was an evil which, through the propagation of hatred and denial of the equality of races, was used to justify exploitation, domination and colonialism and ultimately led to aggression and war. Unfortunately, however, it was still wide-spread and, in the form of the concept of white superiority, was used to justify the enslavement of the coloured peoples and to delay their emancipation. Within countries with mixed populations, it represented a violation of the rights and freedoms of millions of individuals, impeding their development and debasing their economic

situation. Racism in all its forms must therefore be fought at both the national and the international level.

13. Despite the efforts of the United Nations, much still remained to be done. The revised draft resolution was a step in the right direction and he would therefore vote for it. The international convention proposed in it should include provisions making it obligatory for contracting States to revoke all discriminatory laws directed against any one group of the population, prohibit racial discrimination by law, eliminate administrative discrimination and take long-term educational action among both youth and adults.

14. Mr. REYES (Philippines) said that the history of the item under discussion, as set forth in the note by the Secretary-General (A/5129), indicated that the Committee had two distinct tasks to perform. The first was to consider urgent measures which could be taken, or at least initiated, immediately by Governments, specialized agencies and non-governmental organizations to deal effectively with actual manifestations of racial prejudice and national and religious intolerance and to prevent their possible recurrence. Economic and Social Council resolution 826 B (XXXII) pertained to that aspect, while the revised draft resolution addressed itself to the second task of considering further measures, mostly of a long-range character, conducive to the final and total elimination of all such manifestations.

15. In accordance with the position consistently taken by the Philippines, his delegation would support the draft resolution recommended by the Council; it associated itself fully with the profound concern expressed therein, it subscribed to the condemnation of all such manifestations as violations of the Charter of the United Nations and of the Universal Declaration of Human Rights, and it welcomed the recommendations for specific measures. The operative part spelt out the action Governments should take, and brought out the fact that, as in most matters relating to the observance of human rights, the sincere co-operation of Governments was a crucial factor. While there was no lack of lip-service to the Charter and the Universal Declaration, there was insufficient co-operation in the form of faithful compliance with their provisions. The measures envisaged in the resolution fell within the area of domestic jurisdiction, and Governments should make an honest and searching self-examination to determine where they might have fallen short of perfection. Racial prejudice and religious intolerance died hard; hence the emphasis in a General Assembly resolution 1510 (XV), and in the Council's resolution, on the need for sustained and concerted efforts to educate public opinion and the younger generation with a view to the extirpation of those deep-rooted evils.

16. With reference to the revised draft resolution, his delegation was not opposed in principle to the drafting of additional international conventions on human rights, whenever appropriate or necessary. However, the lengthy process of formulating such an instrument should not preclude practical action by Governments, specialized agencies and non-governmental and private organizations along the lines recommended in the Council's resolution. He was glad that the draft resolution, in its revised form, seemed to recognize the distinction to which he had referred by calling for the preparation, for the eighteenth session of the General Assembly, of a Declaration on the elimination of all forms of racial discrimination, pending the formulation of the proposed

^{1/} See UNESCO, General Conference, Eleventh Session, Paris, 1960, Resolutions, section B.

international convention. His delegation welcomed the Costa Rican amendment to the Council's draft resolution, since it stressed the need for practical action, and also the three-Power amendment, which brought the text of operative paragraph 3 more in line with its own position.

17. Mr. MOUNGALA (Congo, Brazzaville) observed that racial discrimination was a major social problem, since it constituted an obstacle to progress and peaceful coexistence. It was also an acute human problem which must be approached with the utmost concern. Racial discrimination did not exist in his country, which regarded all men, irrespective of the colour of their skin, simply as human beings. It was incredible that man, who had come so far in many respects, should be unable to see beyond his own selfish interests and admit that all men were equal. He was pained to see the great numbers of people made to suffer because of the colour of their skin, despite the many proofs that they were not inferior to the white man. If the desire for predominance on the one hand and the feelings of inferiority on the other could be eliminated, the white and coloured peoples could advance peacefully together towards a better life for all.

18. The United Nations should, through a universal declaration first, and a convention later, urge those nations which still clung to the idea of white supremacy to renounce it in favour of the principle of universal brotherhood. He commended those Governments which were making serious efforts to bring the fanatic proponents of racism back to reason. He stated his desire, in conclusion, to become a co-sponsor of the revised draft resolution.

19. Mrs. KIRILOVA (Ukrainian Soviet Socialist Republic) noted the great importance of the present item. The United Nations had taken a correct attitude in combating discrimination, but much practical action was still needed. A positive factor in that regard was the resolution recommended by the Economic and Social Council, operative paragraph 2 of which set out the minimum requirements for legislative measures. Legislation should be fully utilized in the fight against discrimination because it was official action of the State which provided the necessary framework for the protection of rights and freedoms. Ukrainian law prohibited all propaganda preaching racial or national exclusiveness and hostility. She would vote for the resolution recommended by the Council and for the two amendments to it which had been submitted.

20. She would like to see more, however, than simply the adoption of resolutions, and she therefore welcomed the proposal to prepare a convention for all Governments to sign with a view to ensuring the extirpation of racial, national and religious hatred and the prohibition of racist and fascist propaganda. She accordingly supported the revised draft resolution and hoped that the Committee would at the seventeenth session indicate, for the guidance of the Commission on Human Rights, the kind of convention it desired. She endorsed the Czechoslovak representative's suggestions regarding the contents of such a convention and hoped that a working paper on that subject would be submitted before the end of the session.

21. Mr. DIAZ CASANUEVA (Chile) pointed out that, in the title of the item under discussion, the emphasis was placed on "prejudice" and "intolerance". Hence

the Committee must look beyond "discrimination" and delve into its underlying causes. Racial prejudice engendered racial discrimination in its various forms, while national and religious intolerance engendered hatred, hostility and violence. Chile had no problems in that connexion, but it appreciated the magnitude of the problem throughout the world and would cooperate in any United Nations action to stamp out those social evils. His delegation considered that the two most effective means were international educational work and the imposition of specific legal obligations on States to prevent manifestations of racial prejudice and national and religious intolerance.

22. The meaning of the term "national intolerance", however, was not entirely clear, and religious intolerance was so complex and vast a subject that it should receive special treatment; he would therefore confine his remarks to racial prejudice and discrimination. The Brazilian representative had made a valuable statement (1165th meeting), and Brazil was a fine example of racial integration; other Latin American countries had also made tremendous progress in eliminating racial discrimination which, in colonial times, had gone hand in hand with social and economic discrimination and exploitation. With the development of the Latin American republics, the Indians and Negroes had been progressively integrated into the national community; for it was not enough to eliminate racial hatred: all must be equal before the law, assured of social justice in a democratic society, and freed from poverty and ignorance.

23. Racism, as the term was currently understood, had been the result of European economic expansion which, in establishing the plantation system in tropical regions, had at the same time instituted slavery or forced labour. Although slavery had subsequently been abolished and colonialism had assumed paternalistic forms in some areas, the relationship between Europeans and the coloured races had remained based upon the white man's money and the coloured man's sweat. To those economic circumstances had later been added such racist theories as that of Nordic superiority, culminating in the Third Reich, the collapse of which had led to a new appreciation of the value of the human person, whatever the colour of his skin.

24. Racial prejudice would not disappear overnight. The best of laws might be enacted, but what was needed was to reach and cleanse the hearts and minds of the masses. That would be a long and patient process, because prejudice was irrational and was rooted in the darker areas of the human personality. Psychologists had shown that racial prejudice was not instinctive; it did not exist in children, but was acquired by social contagion; it was an emotional complex which might erupt in mass hysteria and in criminal acts, lynchings and genocide. Nevertheless, it had been shown that in countries which enacted laws conducive to racial harmony, where the courts—as was currently the case in the United States—energetically enforced their decision, and where the information media and educational institutions campaigned against racial prejudice, such prejudice waned and eventually disappeared, and discrimination was abolished.

25. Racial prejudice also had socio-economic aspects, in that it was fostered to protect and preserve the privileges of a white minority—an absurd and tragic situation tantamount to suicide on the part of

those so blind that they did not hesitate to expose their children to future violence at the hands of racial majorities grown weary of oppression.

26. Just as colorism at its zenith had gone hand in hand with the myth of white superiority, so the twilight of colonialism was accompanied by a new European attitude towards the cultures of other peoples. There was a cultural inter-penetration between the various races, which increased the spiritual heritage and progress of all mankind.

27. Racial prejudice and discrimination took various forms, from apartheid—the most repugnant of all—to outbreaks of neo-Nazism and overt or disguised propaganda. The United Nations should intensify its studies on a world scale of the specific forms of racial prejudice in the various areas of discrimination. Much excellent work of that kind had already been done by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its studies of discrimination in education, religion and political rights.

28. He fully supported Economic and Social Council resolution 826 B (XXXII), since it called for the education of children and of public opinion and for action by Governments. Subject to the reservations expressed at the 1166th meeting and at the informal discussions which had taken place, he also supported the revised draft resolution, despite his doubts concerning a single convention.

29. It was the Committee's duty to promote positive and effective measures to eliminate manifestations of racial prejudice, and UNESCO deserved special thanks for the tremendous work it had accomplished in that respect. He was confident that the United Nations would play its part in evolving a new humanism, which would allow men to develop their personality to the full, whatever the colour of their skin, and to contribute on equal terms to the advancement and well-being of all peoples of the world.

30. Mr. MENDOZA LOPEZ (Bolivia) observed, with reference to the statements of the Israel and Jordanian representatives (1155th meeting), that his country had been one of the first to open its doors to large numbers of Jewish immigrants at the time of their persecution by the Nazis. His country had never discriminated against those immigrants, although, to the country's disadvantage, they had devoted themselves to commerce after having immigrated as farmers. He could not agree with the Israel representative that the victors in a war had the right to subjugate the vanquished and that the latter must accept the consequences of their defeat. Bolivia had suffered because of a philosophy of that kind. The existence of the United Nations showed that mankind preferred justice to the law of force.

31. The Indians in his own country, who had had a highly developed civilization of their own, had been harshly subdued by the "conquistadores," and it had not been until the present century that the Government led by the Nationalist Revolutionary Movement, had put an end to racial and religious discrimination. Today, all Bolivians were truly free and equal. He accordingly gave his full support to the revised draft resolution.

32. Mr. GONZALEZ GUTIERREZ (Costa Rica) endorsed the revised draft resolution and observed that his country had for a century had an exemplary democracy in which the dignity of all persons was respected.

That achievement was closely bound up with the fact that 100 years earlier Costa Rica had instituted compulsory universal education. As the country knew what it meant to live in peace and harmony, it was anxious to see that no other nation suffered the painful consequences of racial and religious animosity. He therefore supported the draft resolution recommended by the Economic and Social Council and introduced a revised and strengthened version of his own amendment to it (A/C.3/L.1008/Rev.1).

33. Mr. KANE (Senegal) said that his delegation, as a co-sponsor of the revised draft resolution had been guided by a feeling of concern at the continuance of racial and religious prejudice and discrimination even after the world had witnessed their horrible consequences in the last world war. Racial discrimination was still the rule in the African colonial territories and in South Africa, and was not unknown in other parts of the world. His delegation refused to believe that a fraction of the population, however large, had the right to lower the dignity and violate the fundamental rights of another segment of the population on the ground of an alleged racial superiority. Senegal, which held that the rights of all groups and all individuals had to be assured, was in the front line of those countries which attacked discrimination wherever it existed. The time had come to bring all States into that struggle, and in that regard a convention on the elimination of racial discrimination would be of the greatest usefulness. His delegation also supported the draft resolution recommended by the Economic and Social Council.

34. Mrs. MANTZOULINOS (Greece) said that she was prepared to subscribe to any proposal which the Committee deemed useful for the elimination of religious and racial discrimination, since anti-discriminatory action was in accordance with her country's principles. Both in law and in practice the religious freedom of all was guaranteed. All communities carried on their spiritual, social and cultural activities under the constitutional guarantee of freedom of conscience. Aliens enjoyed full rights under private law and many of the rights in the sphere of public law. The Constitution did not even mention distinctions on the ground of race or religion so foreign were they to the spirit of the people.

35. Legislation was an indispensable weapon against racial and religious discrimination, and an international convention calling for such legislation would no doubt be useful. She could not agree with the Chilean representative that a single convention would jeopardize the compulsory character of the Charter of the United Nations and of the Universal Declaration of Human Rights. It was in view of the general nature of the principles laid down in the Charter and the Universal Declaration that so many conventions on particular issues dealt with in those texts had been elaborated by the United Nations and its specialized agencies. She agreed that religious and racial discrimination was a vast subject, not easily covered by a convention; but she maintained the importance of such a convention. Education on religious tolerance and racial non-discrimination should be given special emphasis. A declaration, which could be read and explained in schools as part of a general educational campaign to wipe out prejudice and which would serve as a guide to all peoples and countries, would surely contribute to the achievement of the common objective.

36. She also supported the resolution recommended by the Economic and Social Council and the two amendments to it.

37. Mr. YANCY (Liberia) proposed that, to bring the operative part of the revised draft resolution into line

with its preamble, the word "racial" in operative paragraphs 1 and 2 should be replaced by the word "such".

The meeting rose at 1 p.m.