

United Nations
**GENERAL
ASSEMBLY**

SEVENTEENTH SESSION

Official Records



**THIRD COMMITTEE, 1173rd
MEETING**

Monday, 5 November 1962,
at 3.40 p.m.

NEW YORK

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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 and Rev.6/ Add.1, A/C.3/L.1016) (concluded)

CONSIDERATION OF DRAFT RESOLUTIONS
(concluded)

1. Mrs. ROUSSEAU (Mali) introduced, on behalf of all the sponsors, a draft resolution on the preparation of a declaration and a convention on the elimination of religious discrimination (A/C.3/L.1016). Although her own delegation had objected to the inclusion of the question of religious intolerance in any convention on racial discrimination, it would have no difficulty in voting for a separate convention on the subject.
2. Mrs. AFNAN (Iraq) shared that view. Her delegation had been strongly opposed to the preparation of a single convention covering both racial discrimination and religious intolerance. However, now that there were to be two separate conventions, it would have no difficulty in supporting both the draft resolutions before the Committee and would like to join the sponsors of the new draft resolution.
3. Mr. MURAYWID (Syria) stated that his delegation also wished to co-sponsor the draft resolution.
4. Mr. PICO (Argentina) said that the Argentine delegation on the Commission on Human Rights had repeatedly expressed the view that international action on the question of religious intolerance should be limited to a declaration, since the subject was not suited to an international convention. His delegation, while fully in favour of the basic ideas and objectives of the draft resolution in question, requested a separate vote on operative paragraph 1 (b), so that it could abstain on the question of a draft convention but could then vote for the resolution as a whole.

5. Mr. ZULOAGA (Venezuela) endorsed the views of the Argentine representative. The work which the Commission on Human Rights had already done on the question of religious intolerance showed that there would be great technical difficulties in drafting a convention that would be acceptable to all countries. His delegation would therefore vote for the draft resolution as a whole but would abstain on the question of a draft convention.

6. Mr. MAAMOURI (Tunisia) said that the most important matter before the Committee had been the question of eliminating racial discrimination, which affected a large part of mankind. He therefore welcomed the fact that the questions of racial discrimination and religious intolerance had now been made the subject of separate draft resolutions and his delegation would therefore vote for both of them. At the same time he hoped that priority would be given to the preparation of the draft declaration and convention on the elimination of racial discrimination.

7. Mr. DIAZ CASANUEVA (Chile) believed that Governments would have great difficulty in meeting the time limit of 15 June 1963 set in operative paragraph 2 of both draft resolutions for the submission of comments and proposals regarding the draft conventions. He urged the sponsors of those resolutions to set a later date.

8. Mr. E. K. DADZIE (Ghana) agreed that the time limit of 15 June 1963 was rather too short. He therefore proposed that the words "15 June 1963" should be replaced in both draft resolutions by "15 January 1964".

9. Mr. KAPUR (India) said that his delegation had no objection in principle to the draft resolution on the elimination of religious intolerance, since all forms of discrimination, religious or other, were prohibited under the constitution and laws of India. However, as was noted in the last preambular paragraph of that draft resolution, the Commission on Human Rights was already preparing draft principles on freedom and non-discrimination in the matter of religious rights and practices^{1/} and it would have been better to await the final results of the Commission's work before deciding whether or not a convention was required. He elaborated on the work being done on this subject by the Commission on Human Rights and explained how his delegation had continuously pressed for the expeditious completion of the draft principles. He could also foresee certain practical difficulties, since the Commission on Human Rights was being asked to prepare two draft declarations during its nineteenth session for submission to the eighteenth session of the General Assembly.

^{1/} See Official Records of the Economic and Social Council, Thirty-fourth Session, Supplement No. 8 (E/3616/Rev.1), paras. 90-158.

10. However, despite those misgivings, the Indian delegation would vote for the draft resolution on the elimination of religious intolerance.

11. Mr. GHORBAL (United Arab Republic) hoped that the Liberian representative, after hearing the Argentinian, Venezuelan and Indian statements, appreciated the difficulties encountered by the sponsors of the revised draft resolution regarding the elimination of all forms of racial discrimination (A/C.3/L.1006/Rev.6) in trying to reconcile his amendment (A/C.3/L.1012/Rev.1) with their own text. He was glad the amendment had been withdrawn. Racial discrimination was a relatively simple issue, but the same could not be said of religious discrimination, on which the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights had been working for some years. The Commission's report on its eighteenth session showed a great diversity of views among Governments concerning the type of instrument in which the draft principles on freedom and non-discrimination in the matter of religious rights and practices should finally be embodied, and it was premature for the Third Committee to propose that a convention should be drafted on the question.

12. The sponsors of the draft resolution on the elimination of religious intolerance deserved thanks for their attempts to meet the Liberian point of view, and he would not vote against their text, on the understanding that if the Commission on Human Rights was required to prepare four drafts, namely, two declarations and two conventions, the work of drafting the instruments on racial discrimination would not be retarded in order to facilitate the preparation of those on religious intolerance.

13. In conclusion, he remarked that it was essential to adopt a constructive attitude in discussing racial, religious or any other type of discrimination. The very purpose of the United Nations was to build, and not to tear down, and delegations, rather than attacking each other's national systems, should endeavour to find common ground in working for the benefit of future generations.

14. Mr. COMAY (Israel) welcomed both draft resolutions which were in full accord with the laws of Israel and which covered adequately the issues raised in the debate, including the problems of special Jewish concern. He also welcomed the extension of the time limit to 15 January 1964, since his Government took the whole subject of racial discrimination and religious intolerance extremely seriously and would wish to submit detailed comments and proposals concerning the two draft conventions.

15. Mr. YANCY (Liberia), replying to the representative of the United Arab Republic, said that his delegation's amendment to the revised draft resolution on the elimination of racial discrimination had been in keeping with the Liberian Government's attitude toward all forms of discrimination. The question of manifestations of racial prejudice and national and religious intolerance had come before the Committee, under the terms of General Assembly resolution 1684 (XVI), as a single item, whereas the revised draft resolution covered only the question of racial discrimination. It was the omission from that resolution of the question of religious intolerance that had led the Liberian delegation to table its amendment.

16. Miss WACHUKU (Nigeria) remarked that her delegation, having failed to dissuade the Liberian delegation from introducing the aspect of religious discrimination into the draft resolution on racial discrimination, had co-sponsored the draft resolution on the former subject with a view to keeping the discussion of the two types of discrimination separate.

Draft resolution regarding a draft declaration and a draft convention on the elimination of all forms of racial discrimination

17. The CHAIRMAN put to the vote the draft resolution, as amended verbally.

The draft resolution regarding the preparation of a draft declaration and a draft convention on the elimination of all forms of racial discrimination (A/C.3/L.1006/Rev.6 and Add.1), as amended verbally, was adopted unanimously.

Draft resolution regarding a draft declaration and a draft convention on the elimination of all forms of religious intolerance.

18. Mr. NEDBAILO (Ukrainian Soviet Socialist Republic) recalled that the Commission on Human Rights had decided, at its eighteenth session, to defer consideration of the form in which the draft principles on freedom and non-discrimination in the matter of religious rights and practices should be incorporated until it had approved a final text. His Government had agreed with that view, and it continued to do so. Consequently, he would abstain in the voting on operative paragraph 1 (b) of the draft resolution as, by calling for a draft convention, it would prejudice the Commission's final decision; however, he would vote for the draft resolution as a whole.

Operative paragraph 1 (b) of the draft resolution (A/C.3/L.1016) was adopted by 64 votes to none, with 26 abstentions.

19. Mrs. MANTZOULINOS (Greece) requested a separate vote on operative paragraph 1 (a).

Operative paragraph 1 (a) was adopted by 88 votes to none, with 3 abstentions.

The draft resolution regarding the preparation of a draft declaration and a draft convention on the elimination of all forms of religious intolerance (A/C.3/L.1016), as a whole, as amended verbally, was adopted unanimously.

20. Mr. KARAKOYLU (Turkey) stated, in explanation of his vote, that he endorsed the ideas underlying the resolutions on discrimination adopted by the Committee, since they agreed with the provisions of his country's constitution, of which he cited three pertinent articles. He deplored the situation in which the minorities referred to by the United Kingdom representative (1170th meeting) found themselves, and said that his Government, which considered it a duty to safeguard the rights and freedoms of minorities living in Turkey, expected that the Turkish minority in other countries would receive the same treatment.

21. His delegation had voted for the draft resolution submitted by the Economic and Social Council and for the amendments to it (1171st meeting). Regarding the two texts just adopted, he observed that the draft International Covenants on Human Rights would eventually place binding obligations on States in the areas, *inter alia*, of racial prejudice and national and religious intolerance. If a need for more specific action were to

be felt subsequently, a separate convention on the subject could be considered. Thus, his delegation would have preferred if the Committee had, for the time being, contented itself with the preparation of declarations, and he had voted in accordance with that view.

22. Mr. BULL (Portugal) explained that, in keeping with his country's racial policy, he had fully supported the draft resolution on racial discrimination. What Portugal had done in Brazil—a country which gave the world a perfect example of a harmonious multiracial society—it was doing in all its overseas territories. What some had in the past called educational discrimination in those territories had actually been the best way to teach some of the indigenous people in mission schools. At present, schools were open to indigenous and non-indigenous persons on equal terms. Concerning the charge of forced labour levelled in the Committee, he drew attention to the report issued by the ILO committee^{2/} which had visited Angola and Mozambique to study the labour problem. His country retained its overseas territories not as a matter of expediency but for what it considered to be valid historical and ethical reasons.

23. Mr. DELGADO (Senegal) remarked that the Portuguese representative had not so much explained his vote as attempted to explain away the policies practised in Portugal's overseas territories. His delegation, which held that discriminatory measures had been introduced in these territories, would reply to Portugal more fully in another Committee.

24. Mr. BEAUFORT (Netherlands) said that while the situation in his country might not be so ideal as had been claimed for other parts of the world, generally speaking the people of the Netherlands were free from intolerance and detested discrimination. He had therefore found no difficulty in voting for the draft resolution submitted by the Economic and Social Council, particularly after it had been greatly improved by the amendments. The text on racial discrimination had been made clearer and more circumspect in the course of the deliberations and his delegation had been able, if with some hesitation, to support the final version. Lastly, being convinced that religious intolerance still existed in some countries—and in that connexion he noted that accusations were not refuted by counter-attacks—his delegation had endorsed the Liberian proposal and had therefore also voted for the draft resolution on religious intolerance.

25. Mrs. VILGRATNER (Austria) said that the principle of equality and non-discrimination had been established in Austrian legislation for nearly a century. Her delegation, convinced of the terrible consequences of racial and religious discrimination, had voted for the draft resolution submitted by the Economic and Social Council and for the amendments to it. With regard to the two texts just adopted, she noted that the question of non-discrimination was already dealt with in a number of multilateral instruments, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, adopted on 4 November 1950. It would be most regrettable if a lack of clarity in the definition of one or more human rights were to result from international conventions employing different language for the same object. Furthermore, while being firmly opposed to discrimination by States, she had some doubts whether it could be elimi-

nated by conventions of the kind recommended in the draft resolutions just adopted. She had misgivings about the contents and effects of such conventions, their compatibility with other human rights instruments and the advisability of dealing with non-discrimination independently of the basic rights or freedoms at issue. Nevertheless, sympathizing with the efforts to abolish all forms of discrimination throughout the world, and in spite of her reservations on certain passages, she had voted in favour of the two texts.

26. Mr. ILYIN (Byelorussian Soviet Socialist Republic) welcomed the adoption of resolutions on discrimination which, if duly implemented, would greatly benefit all mankind. It would be self-deluding to think, however, that discrimination could be removed overnight simply by passing resolutions. A sustained and diversified effort was required, and in that connexion he had been unable to support the three-Power amendment (A/C.3/L.1009/Rev.2), which had the effect of limiting the effort to the areas of education and information media.

27. Regarding the draft resolution on religious intolerance, his delegation had abstained in the separate vote on operative paragraph 1 (b) feeling that insufficient time had been allowed to consider the preparation of a convention on so complex an issue as religious intolerance. Among the many intricate problems with which such a convention would have to deal were the persecution of atheists in certain countries and the adoption of measures against inhuman religious practices or cults which destroyed people morally or physically. Moreover, the question of religious discrimination was being intensively studied by the Commission on Human Rights, whose conclusions the Committee should await before deciding on the preparation of international instruments.

28. The discussion of the present item had been embittered and prolonged by a series of attacks on the socialist countries initiated by the Australian representative. The attacks, which had been clearly political, had been fully refuted by the Bulgarian and USSR representatives, but they had served at least one of their author's intentions by obtaining disproportionate coverage in the local Press. He hoped that the Committee's work would not again be disrupted in such a way.

29. Mrs. MANTZOULINOS (Greece) said that while a declaration might serve the common objective, her delegation strongly favoured a convention, which was a legal and binding instrument. For that reason she had abstained in the separate vote on operative paragraph 1 (a) of the draft resolution on religious intolerance.

30. Mrs. DERANIYAGALA (Ceylon) observed that her Government was fully committed to the principles underlying the texts just adopted but felt that for the time being the objective could best be served by a declaration. She had therefore abstained on operative paragraph 1 (b) while voting for the draft resolution on religious intolerance, as a whole.

31. Mr. MELOVSKI (Yugoslavia) said that, in line with his delegation's desire for intensified action against all forms of discrimination, he had endorsed the broad approach outlined in the draft resolution recommended in the Economic and Social Council's resolution 826 B (XXXII). In view, however, of the need to allocate priorities in the matter, he felt that racial discrimination, being of special importance, deserved special attention, and he had therefore voted without any

^{2/} See International Labour Office, Official Bulletin, vol. XLV, no. 2, supplement II, April 1962.

reservation for the draft resolution on that subject. While Yugoslavia was not opposed to an international document on religious discrimination—as was evident from the reply of the Yugoslav Government to the Secretary-General's enquiry, mentioned in the report of the eighteenth session of the Commission on Human Rights^{3/}—and had voted for the draft resolution thereon, as a whole, it had only abstained on operative paragraph 1 (b) for the reasons explained by several other representatives.

32. The Yugoslav delegation continued to have certain reservations regarding the simultaneous preparation of documents on racial discrimination and others regarding religious discrimination; that could delay

the drafting and submission of the draft declaration and draft convention on racial discrimination called for in the resolution on that subject.

33. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) stated that she had voted for the draft resolution on religious intolerance on the understanding that the concept of religious discrimination was used in its broad sense, implying religious and related freedoms and in particular the freedom to hold atheistic convictions. That was the approach taken by the Commission on Human Rights and by its Sub-Commission. She had abstained in the vote on operative paragraph 1 (b) because, in the light of the Commission's experience, she foresaw many difficulties in the way of a convention.

The meeting rose at 5.35 p.m.

^{3/} See Official Records of the Economic and Social Council, Thirty-fourth Session, Supplement No. 8 (E/3616/Rev.1), paras. 93 and 101.