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**Chairman: Mr. Francisco CUEVAS CANCINO (Mexico).**

**AGENDA ITEM 58**

**Draft International Convention on the Elimination of All Forms of Racial Discrimination (continued)** (A/5803, chap. IX, sect. I; A/5921; E/3873, chap. II and annexes I and III; √C.3/L.1237, L.1239, L.1241, L.1249, L.1262, L.1272, L.1292, L.1305, L.1307/Rev.1, L.1313, L.1314, L.1317)

**ARTICLES ON MEASURES OF IMPLEMENTATION (continued)**

**ARTICLE XIII (bis) (continued)**

1. Mr. CHKHIKVADZE (Union of Soviet Socialist Republics) said that the issue raised in the revised text of article XIII (bis) (A/C.3/L.1307/Rev.1) of the measures of implementation to be added to the provisions of the draft International Convention on the Elimination of All Forms of Racial Discrimination was clear cut and delegations had already taken a position on it. Consequently, he saw no point in any further discussion, which in any case would be unlikely to lead to unanimity in the Committee.

2. In his view, the sponsors of the revised text of article XIII (bis) had considered it necessary to reflect in the Convention the increasing concern of the United Nations and of all States for the dependent Territories. The United Kingdom representative had been right in saying that the proposal was strictly anti-colonialist, but she had not thereby convinced his delegation that it was superfluous. He could not understand why the Nigerian representative should have doubts about the article's usefulness. The arguments that the article was vague in wording and might give rise to duplication of effort were unconvincing. Either the Third Committee wanted the Convention to be an effective weapon against racial discrimination and colonialism and a step beyond the Declaration on the Granting of Independence to Colonial Countries and Peoples or the assurances given concerning the desire to eliminate colonialism

and racial discrimination and the need to show greater concern for the dependent peoples were insincere. That matter could only be settled by a vote.

3. His delegation supported the revised text of article XIII (bis) whole-heartedly. With regard to the legal point whether the United Nations had the right to single out the issue of the Non-Self-Governing Territories in the Convention, his delegation felt that the United Nations as a whole and the African States as Members of the Organization had not only the right but also the duty to demand that the colonialist countries who had responsibility for alien peoples should respect the United Nations Charter, all United Nations resolutions, especially General Assembly resolution 1514 (XV), and the Convention itself, once it was adopted.

4. Mr. MOMMERSTEEG (Netherlands) said that his delegation had submitted an amendment (A/C.3/L.1317) to the revised text of article XIII (bis) because that article gave rise to certain purely legal difficulties.

5. The right of petition had already been granted to the inhabitants of non-independent Territories by Article 87 of the United Nations Charter. The General Assembly, the Trusteeship Council, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other United Nations bodies could receive petitions. In such cases the right of petition did not depend upon an optional declaration and hence the procedure for dealing with them was stronger than that proposed in article XIII. He sympathized with the concern of the sponsors of the draft article that the right of petition, which already existed in a stronger form under the Charter and United Nations practice, might be jeopardized by article XIII, which was weaker in form and substance. His delegation had submitted its amendment, in order to obviate any impression that the existing right of petition might be prejudiced by the Convention. While the principles enunciated by the United Nations on the question of racial discrimination in the Declaration of the Elimination of all Forms of Racial Discrimination concerned all States, the obligations imposed by the Convention would be binding only on the States Parties. Moreover, the committee to be established under article VIII would be an organ of the States Parties only, and not of the United Nations, and the States Parties to the Convention, and not the General Assembly, would elect its members and would be responsible for their expenses. All those questions had been explicitly decided by a vote.

6. The revised text of article XIII (bis) implied that the rights and obligations imposed by the Convention

might apply to States not parties to the Convention since neither paragraph 1 nor paragraph 2 was limited to States Parties. That was the legal difficulty to which he had referred.

7. His delegation did not wish in any way to detract from the right of petition of the inhabitants of non-independent Territories. However, in the case of the inhabitants of a Territory the administering Power of which was not a Party to the Convention, it was not the committee established under the Convention, but other organs, such as the Special Committee, which were competent to receive petitions. His delegation's amendment clearly safeguarded the right of petition granted under other international instruments or recognized in the practice of the United Nations or its specialized agencies. It was intended not only to obviate the legal difficulty he had described, but also to express in a clearer and more comprehensive way the principle that all delegations wished to safeguard.

8. Mr. DABROWA (Poland) said he wished to explain the relationship between the revised text of article XIII (bis) (A/C.3/L.1207/Rev.1) and his delegation's amendment (A/C.3/L.1272) to the final clause on territorial application.

9. Some delegations appeared to think that his delegation had proposed the deletion of the so-called "colonial clause" in the final clauses (A/C.3/L.1237) because it opposed any mention of non-independent Territories in the Convention. That was not so. He objected to the colonial clause not because it mentioned those Territories, but because it made possible the non-application of the Convention to certain non-independent Territories which either had not been declared by the colonial Power at the time of signature, ratification or accession to the Convention or had not been notified after so-called consultations with the non-independent territories. His delegation was therefore opposed, not to the first sentence of clause IV on territorial application, but to all the remainder of the clause. If his delegation's amendment was adopted, the Convention would apply to all Territories under the administration of States Parties to it, in accordance with the general rule governing the international law of treaties.

10. The sponsors of the proposed article XIII (bis) and his delegation both intended that the Convention as a whole, including article XIII, should be applicable to the non-independent territories. Since there was no contradiction between the two proposals, his delegation would vote in favour of the revised text (A/C.3/L.1307/Rev.1).

11. Mr. LAMPTEY (Ghana) observed that the Committee was now dealing with a question which on the face of it appeared to be an emotional political issue. He therefore deemed it important that there should be no misunderstanding of his delegation's motives.

12. Recalling that his country's stability, dynamism and progress would not have been possible but for the courage displayed by Kwame Nkrumah in the early 1950's when, in the Ghanaian Parliament, he had rejected a reckless call for a unilateral declaration of independence despite his party's successful campaign slogan "self-government now", he pointed out

that Ghana had always fought for substance, not for shadow. During the height of the crisis in the Congo, the President of Ghana had given some advice to Patrice Lumumba; but those whose interests were inimical to those of Africa, and who sometimes mistook their interests for those of Africa, had accused him of ambition, and the Congo had subsequently been deprived, under tragic circumstances, of an authentic revolutionary and a great leader. He urged the African delegation, where vital issues were at stake, to make their real interests their paramount concern.

13. His delegation would be prepared to abandon the principle on which it would have to reject the proposed article XIII (bis) if it felt that the article would serve those for whom it was intended. It was convinced, however, that the article would do more harm than good. He did not object, as had been suggested, to the right of petition of the inhabitants of non-independent territories; on the contrary, his Government had been and still was willing to adopt a mandatory petition clause for all human beings in regard to racial discrimination, because the philosophy and practice of such discrimination was contrary to everything it held sacred. Even though his delegation would have liked to give the right of petition to the American of African descent and the West Indian or African living in the United Kingdom, it had not proposed a mandatory clause because it had been told that it would be more realistic to gain 75 per cent of its objective and wait another day for the remaining 25 per cent. He found it difficult to understand why those who had abstained even on an optional petition clause should now sponsor a mandatory clause.

14. The right to petition on political, economic, social and all other matters had been given to the inhabitants of the Non-Self-Governing Territories by the United Nations. Had the Convention attempted in any way to limit that right, his delegation would have fought against it. But the proposed article XIII (bis), instead of conferring a right—a right which was already enjoyed—would make non-signatories of the very States that must be parties to the Convention if it was to have any meaning. It was perfectly obvious that the United Kingdom could not ratify the Convention if it included a clause like article XIII (bis). Was it more important for the Convention to include a meaningless clause and drive away the United Kingdom or to ensure that the United Kingdom was a party to the Convention so that the dependent peoples might have one more instrument in their fight for equality?

15. Some representatives apparently believed that, even if some countries were not parties to the Convention, the mere insertion of the clause would empower the proposed committee to receive petitions from the inhabitants under the administration of those countries. Nothing could be further from the truth, for the committee would have no legal jurisdiction whatsoever over those States. The Convention was not the Charter of the United Nations; it was a distinct and separate treaty. The United Nations could concern itself with South Africa and the colonial

territories only because the administering Powers were Members of the United Nations.

16. If article XIII (bis) was adopted in its present form, the Convention could already be regarded as a dead letter, for the vital States would have an excuse for not signing it.

17. At the previous meeting, the United Kingdom representative had announced a significant change in policy in that, although her Government had not accepted the right of individual petition in Europe, it would accept it for the purposes of the Convention. The Third Committee must admit the significance of that action and move forward from it, not backward by wrecking the Convention.

18. The issue was a serious one. A large number of abstentions by the recently independent countries in the vote on the question would be tantamount to so many negative votes; his delegation could not abstain and hoped that others would not abstain, for the amendment would destroy the Convention without accomplishing anything at all.

19. He urged the delegations of the United Arab Republic and the United Republic of Tanzania to reflect on the burden of responsibility they would bear if their article proved to be the rock on which the Convention foundered. In the higher interests of Africa and of humanity, he appealed to the sponsors of article XIII (bis) to keep their amendment before the Committee as a measure of their hopes, if they so wished, but not to press it to a vote. If they did not heed that appeal, however, his delegation would have the courage to vote against the articles, following the example of the President of Ghana at a similar turning-point in his country's history.

20. Mr. CAPOTORTI (Italy) expressed the hope that the Committee would be able to end its debate in unanimous agreement on the text of the draft Convention. He noted that the revised text of article XIII (bis) (A/C.3/L.1307/Rev.1) appeared to rest on two bases. His delegation agreed with the first, namely, that the right of petition recognized under article XIII should not prejudice other machinery established within the United Nations, such as the activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The second basis of article XIII (bis) was the introduction of an exception—which in fact was much more than an exception—to the rule established in article XIII, and it was necessary, in that connexion, to be very clear on a question of principle. The crux of the matter was that the provisions of an international treaty could be binding only on States which ratified or acceded to it. Everyone appreciated that there were very serious situations, such as those prevailing in the Portuguese territories in Africa and in the Republic of South Africa, which called for effective action, but they could not be rectified through the Convention unless the latter was ratified by the States in question. If those situations were of concern to the United Nations, steps must be taken to establish new United Nations bodies or to widen the powers of existing ones. The essential point was that the means should be proportionate to the ends.

21. If the revised text of article XIII (bis) was considered in that light, it was found to introduce two major changes in the system proposed in article XIII—the granting to inhabitants of Non-Self-Governing Territories of an automatic right to submit petitions, whether or not the administering Power had accepted the optional clause in article XIII, and the establishment of rather different procedures under paragraphs 2 and 3. The question was whether those changes offered any real advantages or whether they were more negative than positive, and the answer was quite clear; if the Convention created two categories of States, consisting of a large group not administering any dependent territories and free to accept article XIII (bis) without assuming any responsibilities, and a smaller group obliged to accept the proposed system of petitions, the latter group would simply refuse to ratify the Convention and to accept heavier responsibilities than other States. Moreover, he wondered whether it was fair, after so clearly defining racial discrimination, the measures to be taken against it and the means of implementation, to discriminate in favour of States which had no dependent territories. The important point was to have an instrument adopted which would strike at racial discrimination wherever it existed.

22. So far as procedures were concerned, co-operation of the kind proposed in paragraph 3 would facilitate the work of the bodies in question only if each of them worked within its own framework and avoided duplication. In that connexion, his delegation preferred the Netherlands amendment (A/C.3/L.1317).

23. During the debate, many references had been made to anti-colonialism, and the great majority of delegations had shown their concern in that connexion by supporting the idea of measures of implementation, and especially the right of petition, from the outset. However, the representative of Ghana had emphasized the difference between substance and illusion, and the problem was to devise concrete, and not illusory, measures. The draft Convention would become a reality only to the extent that the principles of logic and law were respected. In view of the measure of agreement already reached, it would be unfortunate if the discussion ended with a propaganda debate. He hoped that reason and objectivity would prevail.

24. Mr. EL AHMADI (Sudan) said that the sponsors of the revised text of article XIII (bis) did not regard it as perfect and would welcome any suggestions for its improvement. However, they insisted that the basic idea should be kept intact. In the first place, colonialism was the most terrible form of racial discrimination, and it still existed. Secondly, article XIII (bis) must be obligatory, because the colonial Powers were not expected to make a declaration allowing petitions from non-independent territories. Mention had been made of duplicating the competence of other United Nations organs, but there was no reason why two channels of recourse should not exist; furthermore, the Special Committee dealt only with political questions. Thirdly, a clear distinction must be made between petitions from nationals of a metropolitan country, who could bring pressure to bear on their Government, and those from inhabitants of

colonies, who must use force to attain their rights; the petitioners to political organs of the United Nations were refugees living outside their own territories. The sponsors of the text under discussion wanted the United Nations to face up to the challenge of racial discrimination and to provide full and civilized means for the redress of grievances in the matter of racial discrimination.

25. It had been said that colonialism should not be perpetuated in a treaty; yet colonialism was an ugly fact, and reference was made to it in the United Nations Charter itself. If colonialism was ended completely, the sponsors would be only too happy to see article XIII (bis) become obsolete and to have the Convention revised. In existing circumstances, however, they deemed it essential that the article should remain an integral part of the Convention. That would not be a form of discrimination against certain countries, which had a responsibility towards Non-Self-Governing Territories; on the contrary, it would prevent discrimination against persons who were suffering racial discrimination, by safeguarding their rights.

26. Mr. HOYLE (Australia) recalled that his delegation had voted in favour of article XIII with some hesitation. It could not have supported a non-optional article, and for the same reason it could not accept the revised text of article XIII (bis), which, moreover, gave inhabitants of Non-Self-Governing Territories greater rights under the Convention than inhabitants of metropolitan countries not exercising the option permitted in article XIII, paragraph 1. An additional reason for opposing the revised text was that it duplicated the existing practice in the Trusteeship Council, the Fourth Committee and the Special Committee. His delegation was, however, prepared to accept the compromise text proposed by the Netherlands (A/C.3/L.1317).

27. Miss HART (New Zealand) said that the difficulties which her delegation found in the revised text of article XIII (bis), and particularly in paragraph 1, were essentially those already mentioned by the representative of Ghana. As her delegation understood it, the intention of the sponsors of that text was that, in the case of non-independent territories, the right of petition established under article XIII should not be optional but should be guaranteed, whether or not the State concerned allowed the right of petition in respect of its metropolitan territory and also—although the drafting was not clear on that point—whether or not the metropolitan country was a party to the Convention. In the view of her delegation, the latter point gave rise to insuperable legal difficulties, since according to indisputable rules of international law a convention could have effect only between States parties to it. The proposed committee would owe its existence to the terms of the Convention, from which it would derive whatever competence and authority those drafting the text chose to give it. As it would not be a United Nations organ, its competence could not derive from the Charter or the practice of the United Nations, and it could have no powers in relation to States or to their territories which did not ratify or accede to the Convention. If it was desired to establish a committee having

competence in relation to all States Members of the United Nations, that must be done by other appropriate means within the context of the United Nations, i.e., by establishing a subsidiary organ of the United Nations and giving it powers consistent with the Charter, as interpreted by the practice of the United Nations.

28. As other delegations had already pointed out, there were existing United Nations bodies which had asserted their competence to receive petitions from territories of Member States. While such petitions were sent and received in a political, and not a legal, context, her delegation saw much force in the Ghanaian representative's argument that the proposed article XIII (bis) was unnecessary. To the extent that there was a need to make it quite clear that nothing in the Convention regarding the right of petition should be taken to prejudice or affect existing rights, the wording proposed by the Netherlands was precisely what was required.

29. On the issue of principle, she would simply recall that extensive negotiations between various groups had resulted in the adoption of an article on the right of petition enjoying very wide support. In the course of those negotiations, it had been generally agreed that the right of petition should be optional. The introduction, at a rather late stage, of a proposal that, in a certain context, that right should be mandatory was unexpected, in view of the way in which the earlier negotiations had developed. She hoped that the sponsors would not press a proposal which would tend to disturb the very wide agreement already reached on the question of petitions.

30. The text proposed by the representative of Saudi Arabia at the preceding meeting amounted to a territorial application clause. Her delegation could give its full support to the intention behind the Saudi Arabian proposal, although it might be formulated in a more precise way, perhaps along the lines of one of the similar clauses in the working paper submitted to the Commission on Human Rights by the Secretary-General (E/CN.4/L.679). Such a text, in conjunction with the Netherlands proposal (A/C.3/L.1317), should meet the substantial concern of the sponsors of article XIII (bis), with which her delegation was in sympathy.

31. Miss WILLIS (United States of America) said that her delegation's position on article XIII (bis) was determined by the three basic criteria which she had stated in an earlier intervention: respect for the sovereignty of States Parties to the Convention, the inclusion in the latter of provisions which would effectively secure observance of the substantive obligations of the States Parties, and the inclusion of provisions which would be widely acceptable. A gratifying measure of success had been achieved in that connexion, but the adoption of the revised text of article XIII (bis) would be at variance with those principles, since, as pointed out by the representative of Ghana and made amply clear during the discussions and negotiations which had taken place, it would undoubtedly deter some States from ratifying the Convention.

32. Her delegation would have no difficulty in supporting the Netherlands amendment, which uncovered a further weakness in the revised text. Procedures had already been established in the United Nations for dealing with petitions from inhabitants of Non-Self-Governing Territories, and the creation of a new committee for the purpose was therefore unnecessary. Her delegation would vote in favour of the Netherlands amendment and against the revised text, if the latter was put to the vote.

33. Miss AGUTA (Nigeria) said that, in view of the comments made by the representative of the USSR, she would like to clarify her delegation's position regarding colonialism, although that position was already well-known and had been reiterated at the beginning of the statement to which the representative of the USSR had alluded. Nigeria was interested in deeds, and not in words, and it wanted every measure adopted by the United Nations to be workable. Her delegation would like to see the article under discussion adopted, but in a form acceptable to most of the States concerned, as it could never be in its present version. No one could reject the principles and sentiments inspiring such an article, but political sentiments could not be allowed to obscure reality. The right of individual petition was the most important part of the draft Convention, since it was the individual who suffered from discrimination. Her delegation, which considered the very idea of colonialism unacceptable, firmly believed that individuals in non-independent territories should enjoy the right of petition. Nevertheless, it felt obliged to adopt a cautious attitude when confronted with any suggestion that might prejudice the acceptability of the Convention, particularly to those States most affected by the problems of racial discrimination. That being so, no other course had been open to her delegation than the one it had taken.

34. Mr. KOCHMAN (Mauritania) observed that the sponsors of the revised article XIII (bis) (A/C.3/L.1307/Rev.1) appeared to have been criticized for having taken an unexpected position. He wished to state that Mauritania had joined in sponsoring that text because it regarded colonialism as the worst form of racial discrimination. He failed to see why delegations which had accepted the principle of petitions to United Nations bodies should object to provision being made for the right of petition in a Convention of such importance. Mauritania had systematically condemned colonialism, and would do all in its power to liberate the victims of that system.

35. Mr. ABDEL-HAMID (United Arab Republic) said that his delegation's concern was not for the position of the United Kingdom, but for the rights of political prisoners in Southern Rhodesia, Angola, Mozambique and South West Africa—rights which it had full instructions from its Government to uphold. The proposed article XIII (bis) did not represent discrimination against certain countries; on the contrary, the presence of the United Kingdom in non-independent territories was discrimination. The leaders of all the African countries had sworn to uphold the rights of their brothers in Africa, especially those fighting for their independence, and the United Arab Republic

could not forget those sacred rights. If the colonial Powers would liberate the countries in question, there would be no need for article XIII (bis). With respect to the United States argument that the adoption of the article would deter many States from acceding to the Convention, his delegation, while accepting the fact that not all countries would accede, could not abandon the principle that colonialism should be liquidated immediately and that persons fighting for their independence should be given the right of petition.

36. Miss MPOZE (Democratic Republic of the Congo) said that the Ghanaian representative's remarks on events in her country were completely out of order. Her country needed no political prompting from any quarter and would not tolerate interference in its domestic affairs. She would vote in favour of the proposed new article (A/C.3/L.1307/Rev.1).

37. Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that it had been suggested to the sponsors that they might agree to delete paragraph 3 of their proposal. They did not have strong feelings on the matter and would leave it to be decided by voting.

38. The Netherlands proposal in document A/C.3/L.1317 purported to be an amendment. However, it dealt with a matter entirely different from what was proposed in document A/C.3/L.1307/Rev.1. Under rule 131 of the rules of procedure, therefore, it should be voted on second.

39. He fully endorsed the remarks of the representative of the Democratic Republic of the Congo.

40. He did not propose to criticize the United Kingdom, the largest colonial Power still in existence. His criticism was directed against colonialism itself. In speaking of the United Kingdom it was necessary to distinguish between the different governments, for the Labour Government did not seek to infringe human rights or support those who did. What he attacked was traditional British colonialism and its remnants. Colonialism, like genocide and slavery, was a crime against humanity. All three were unnatural conditions of man. Colonialism was inherently bad, for it was based on the idea of national and racial superiority and it therefore necessarily entailed discrimination. Wherever there was a colonial territory there was racial discrimination against the colonial people.

41. That was the basic principle underlying the revised text of article XIII (bis), and it was too important to be brushed aside with legalistic arguments. The United Kingdom and like countries must decide for themselves whether or not to sign the Convention. Their attitude was not difficult to predict. They had established a pattern of behaviour which they were unlikely to change, whatever conciliatory steps were taken. The record of the United Kingdom in international human rights efforts included its failure to ratify the Convention on the Prevention and Punishment of the Crime of Genocide, its failure to become a signatory of the Universal Declaration of Human Rights, its opposition to the original declaration on independence of colonial peoples, and its position that the Special Committee was not competent to hear



petitioners from British colonies; when the Special Committee voted on questions relating to British colonies, the United Kingdom delegation did not participate in the voting.

42. The colonial Powers and those who took their part were opposed to the proposed new article and had advanced a number of legal arguments. His delegation needed no lessons in international law, however. It knew that those who really sought to defend the victims of colonialism would encounter no difficulties. The draft Convention must take up the cause of human freedom and allow inhabitants of colonial territories to petition to the world in the defence of their rights as human beings. There could be no compromise in that matter.

43. He urged all who wished to uphold the dignity and equal rights of men to support the revised text of article XIII (bis) (A/C.3/L.1307/Rev.1) and requested that the vote on that text should be taken by roll call.

44. Mr. CHKHIKVADZE (Union of Soviet Socialist Republics) said that he still failed to understand the opposition of the Nigerian delegation to the proposed article XIII (bis), whose provisions were vital to the draft Convention. It was reasonable to want as many countries as possible to sign the Convention but it was not reasonable, to that end, to weaken the text to the point where it would no longer serve to eliminate the worst forms of racial discrimination.

45. The States which would not sign the Convention could be named. They were the racist States, those that encouraged racial discrimination and those that defended colonialism. The Committee should not destroy the draft Convention for their sake, but, avoiding all extremes, should follow the course of objectivity and honesty.

46. Mr. LAMPTEY (Ghana) said that his delegation was not defending any colonial Power. It was defending the draft Convention and would do so to the last. It had consistently supported the strongest possible measures of implementation and had not been among those which had emphasized the sovereign rights of States. It did believe, however, that the Convention must be ratified by those States where racial discrimination existed. The Committee must not play a propaganda game in drafting the Convention. His delegation would vote against the revised text of article XIII (bis) and hoped it would be rejected. If some chose to construe that as support for colonialism, he could not prevent it and must let his country's record speak for itself. He deeply regretted the efforts made to divide the African delegations and trusted that they would ultimately fail.

47. Mr. RAO (India) said that the Convention should be drafted on the basis of principle and not of political expediency. If the required number of countries ratified the Convention, others were bound to follow. World public opinion was turning increasingly against

racial discrimination and colonialism. The fact that 600 million people formerly under United Kingdom administration had obtained national independence in the past twenty years was tangible evidence of the progress being made towards the goal of freedom for all people.

48. Miss AGUTA (Nigeria), replying to the USSR representative, said that her delegation naturally supported the principle and sentiments underlying the proposed article XIII (bis), but her country, which had always followed an independent and realistic policy, refused to be blinded by political sentiment or to yield to pressure. While it hated colonialism, it was fully aware of the legal implications of the intricate question under consideration and considered the article unworkable and hence a waste of the Committee's time.

49. Lady GAITSKELL (United Kingdom) pointed out, for the benefit of the Tanzanian representative, that the United Kingdom Government had not only voted for the Universal Declaration on Human Rights but had also played an active part in sponsoring it some seventeen years before; several other Member States, on the other hand, had taken five or six years to decide whether to accept it. Procedures leading to the ratification by her country of the Convention on the Prevention and Punishment of the Crime of Genocide had now been instituted. Naturally, there were United Nations conventions on which her delegation had abstained, just as the Tanzanian delegation had abstained in the vote on articles VIII and XIII of the Convention.

50. The CHAIRMAN observed that article XIII (bis) raised certain fundamental questions which might affect the future of the Convention. He therefore suggested that the Committee should postpone a vote on that article until Tuesday, 7 December, in order to allow representatives further time for reflection.

51. After careful consideration and consultation with the Office of Legal Affairs, he had concluded that the Netherlands amendment (A/C.3/L.1317), was not properly an amendment, but was rather a new proposal. He would therefore be unable to put the Netherlands amendment to the vote first.

52. Mr. WALDRON-RAMSEY (United Republic of Tanzania), Lady GAITSKELL (United Kingdom) and Mr. KOCHMAN (Mauritania) urged the Committee to vote on article XIII (bis) at the present meeting.

53. Mr. SY (Senegal), Mr. BOZOVIC (Yugoslavia) and Mr. RAO (India) supported the Chairman's suggestion.

54. Mr. KOCHMAN (Mauritania) suggested that article XIII (bis) should be taken as the first item of business on Monday, 13 December.

*It was so decided.*

The meeting rose at 6.45 p.m.