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COMMISSION ON HUMAN RIGHTS
SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION
OF MINORITIES

REPORT OF THE TWELFTH SESSION OF THE SUB-COMMISSION
ON PREVENTION OF DISCRIMINATION AND PROTECTION OF
MINORITIES TO THE COMMISSION ON HUMAN RIGHTS

New York, 11 to 30 January 1960

Rapporteur: Mr. Voitto SAARIO

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I. ORGANIZATION OF THE SESSION

Opening and duration of the session

1. The Sub-Commission on Prevention of Discrimination and Protection of Minorities held its twelfth session at the Headquarters of the United Nations, New York, from 11 to 30 January 1960.
2. Mr. José D. Ingles, Vice-Chairman of the Sub-Commission at its eleventh session, opened the twelfth session on 11 January 1960 (279th meeting).

Representation at the session

3. The following members of the Sub-Commission, or alternates, attended:

Mr. Abdel Hamid Abdel-Ghani	(United Arab Republic)
Mr. Omar Sharaf (Alternate)	
Mr. Mohamed Ahmed Abu Rannat	(Sudan)
Mr. Abdel Karim Mirghani (Alternate)	
Mr. Philip Halpern	(United States of America)
Mr. C. Richard Hiscocks	(United Kingdom of Great Britain and Northern Ireland)
Mr. José D. Ingles	(Philippines)
Mr. Pierre Juvigny	(France)
Mr. Jean Marcel Bouquin (Alternate)	
Mr. Wojciech Ketrzynski	(Poland)
Mr. Jacek Machowski (Alternate)	
Mr. A. Krishnaswami	(India)
Mr. Franz Matsch	(Austria)
Mrs. Z.V. Mironova (Alternate)	(Union of Soviet Socialist Republics)
Mr. V.I. Sapozhnikov (Alternate)	
Mr. Edward Rizk (Alternate)	(Lebanon)
Mr. Khalil Makkawi (Alternate)	
Mr. Enrique Rodriguez Fabregat	(Uruguay)
Mr. Voitto Saario	(Finland)
Mr. Jacobo Schaulsohn (Alternate)	(Chile)

4. Before the session opened, three members of the Sub-Commission, Mr. Charles D. Ammoun (Lebanon), Mr. A.A. Fomin (Union of Soviet Socialist Republics), and Mr. Hernan Santa Cruz (Chile), informed the Secretary-General that they were unable to attend the session and that, in accordance with rule 70 of the rules of procedure of Functional Commissions of the Economic and Social Council, and with the consent of their Governments, they appointed as alternates for the whole of the session Mr. Edward Rizk, Mrs. Z.V. Mironova and Mr. Jacobo Schaulsohn respectively. Mr. Abdel Hamid Abdel-Ghani (United Arab Republic), Mr. Mohamed Ahmed Abu Rannat (Sudan), Mr. Pierre Juvigny (France), Mr. Wojciech Ketrzynski (Poland), Mrs. Z.V. Mironova (Union of Soviet Socialist Republics), and Mr. Edward Rizk (Lebanon) were unable to attend certain meetings of the Sub-Commission and, with the consent of their Governments, designated as their alternates for those meetings Mr. Omar Sharaf, Mr. Abdel Karim Mirghani, Mr. Jean Marcel Bouquin, Mr. Jacek Machowski, Mr. V.I. Sapozhnikov and Mr. Khalil Makkawi respectively. The Secretary-General was in full agreement with these nominations and the alternates therefore enjoyed during the session the same status as members of the Sub-Commission, including the right to vote.

5. Observers from the Governments of Cambodia, the Federal Republic of Germany, and Israel attended the session.

6. The following representatives of specialized agencies were present at various meetings of the session:

International Labour Organisation

Mr. E. Zmirou

United Nations Educational, Scientific and Cultural Organization

Mr. M. Akrawi

Mr. A. Gagliotti

7. The following authorized representatives from non-governmental organizations in consultative status were present as observers:

Category A

International Confederation of Free Trade Unions (Miss Janet Seigel);

International Federation of Christian Trade Unions (Mr. Gerard Thormann);

World Federation of United Nations Associations (Mr. H.G. Barratt-Brown);

World Veterans Federation (Miss Emily Nichols).

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Category B

Agudas Israel World Organization (Mr. Isaac Lewin); Commission of the Churches on International Affairs (Mr. A. Dominique Micheli); Consultative Council of Jewish Organizations (Mr. James Marshall, Mr. Moses Moskowitz); Friends World Committee for Consultation (Mr. B. Tartt Bell, Mr. Henry Thiagaraj); International Alliance of Women (Mrs. Frances A. Doyle, Miss Frieda S. Miller, Miss Ruth F. Woodsmall); International Catholic Child Bureau (Mr. Jules A. Gagnon); International Catholic Press Union (Mr. Gary MacEoin); International Conference of Catholic Charities (Mr. Louis Longarzo); International Council of Women (Mrs. Dorothy S. Bauman, Mrs. Rose P. Parsons); International Federation of University Women (Miss Elmina R. Lucke); International Federation of Women Lawyers (Mrs. Lenore Hines Alden, Mrs. Rose Korn Hirschman); International League for the Rights of Man (Mr. Roger N. Baldwin, Mr. Max Beer, Mrs. W. Potter, Mrs. Dora D. Roitburd); International Movement for Fraternal Union Among Races and Peoples (Miss Elizabeth Reid); International Union of Family Organizations (Mrs. Peter L. Collins); Pan Pacific and Southeast Asia Women's Association (Mrs. Henry G. Fowler); Pax Romana (Mr. Eugene M. Burke); Women's International League for Peace and Freedom (Mrs. Adelaide N. Baker); Women's International Zionist Organization (Mrs. Ines Radunsky); World Jewish Congress (Mr. Gerhard Jacoby, Mr. Maurice L. Perzweig); World Federation of Catholic Young Women and Girls (Mrs. Rosemary Higgins Cass); World Union of Catholic Women's Organisations (Miss Catherine Schaefer); World Union for Progressive Judaism (Mrs. Victor Polstein); World Young Women's Christian Association (Mrs. Roland Beattie, Miss Elsie D. Harper).

Register

International Humanist and Ethical Union (Mrs. Walter M. Weis); World Federation for Mental Health (Mrs. Helen S. Ascher).

Secretariat

8. Mr. C.V. Narasimhan, Under-Secretary for Special Political Affairs, and Mr. John P. Humphrey, Director of the Division of Human Rights, represented the Secretary-General. Mr. Edward Lawson acted as Secretary of the Sub-Commission.

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Election of officers

9. The Sub-Commission, at its 279th meeting, unanimously elected Mr. José D. Ingles (Philippines) Chairman; Mr. Arcot Krishnaswami (India) Vice-Chairman; and Mr. Voitto Saario (Finland) Rapporteur.

Meetings, resolutions and documentation

10. The Sub-Commission held thirty-one plenary meetings. The views expressed by the members of the Sub-Commission during those meetings are summarized in documents E/CN.4/Sub.2/SR.279-309.

11. In accordance with rule 75 of the rules of procedure of the Functional Commissions of the Economic and Social Council, the Sub-Commission granted hearings at various meetings (E/CN.4/Sub.2/SR.279, 280, 281, 282, 285, 289, 292, 299, 300, 302 and 304) to the representatives of the following non-governmental organizations:

Category A

International Confederation of Free Trade Unions (Miss Janet Seigel).

Category B

Agudas Israel World Organization (Mr. Isaac Lewin); Commission of the Churches on International Affairs (Mr. A. Dominique Micheli); Consultative Council of Jewish Organizations (Mr. James Marshall, Mr. Moses Moskowitz); Friends World Committee for Consultation (Mr. B. Tarrt Bell); International Catholic Child Bureau (Mr. Jules A. Gagnon); International Catholic Press Union (Mr. Gary MacEoin); International Federation of University Women (Miss Elmina R. Lucke); International League for the Rights of Man (Mr. Roger N. Baldwin, Mr. Max Beer); Pax Romana (Mr. Eugene M. Burke); Women's International League for Peace and Freedom (Mrs. Adelaide N. Baker); World Jewish Congress (Mr. Gerhard Jacoby, Mr. Maurice L. Perlzweig); World Union for Progressive Judaism (Mrs. Victor Polstein).

Register

International Humanist and Ethical Union (Mrs. Walter M. Weis); World Federation for Mental Health (Mrs. Helen S. Ascher).

12. Resolutions adopted by the Sub-Commission appear under the subject matter to which they relate. Financial implications of decisions of the Sub-Commission, prepared by the Secretariat, will be circulated as an addendum to this report (E/CN.4/800/Add.1).

13. Documents before the Sub-Commission at its twelfth session are listed in the Annex to this report.

II. AGENDA

Item 2 of the agenda

14. At the 279th meeting the Sub-Commission considered the provisional agenda (E/CN.4/Sub.2/199/Rev.1), prepared by the Secretary-General in consultation with Mr. Mohamed Awad, Chairman of the Sub-Commission at its eleventh session.
15. The Sub-Commission had before it a written statement submitted by the International League for the Rights of Man, a non-governmental organization in category B consultative status (E/CN.4/Sub.2/NGO/12), requesting it to give utmost attention at the twelfth session to the facts and the spirit revealed by "the present outbreak of racial and religious hostility", and in particular (1) to adopt a resolution strongly condemning the present incitement to hatred and violence, and (2) to undertake an inquiry into the origin and purposes of the present movement in those countries where it has already been reported.
16. Three questions were examined by the Sub-Commission in its consideration of the provisional agenda: (1) the position to be accorded item 10 of the provisional agenda, "Future work of the Sub-Commission, including the question of undertaking any new studies, the question of the priority to be given any such studies, and the question of control and limitation of documentation"; (2) the position to be accorded item 11, "Measures to be taken for the cessation of any advocacy of national, racial, or religious hostility that constitutes an incitement to hatred and violence, jointly or separately"; and (3) the item under which the statement submitted by the International League for the Rights of Man should be dealt with.
17. A proposal by Mr. Matsch to place item 10 after item 12 was adopted unanimously.
18. Mr. Ketrzynski proposed that, in view of its importance, item 11 should be considered after item 7. Mr. Schaulsohn, while supporting the suggestion that item 11 should be given preferential treatment, proposed that it should be considered immediately after item 6. The latter proposal was adopted by 7 votes to 1, with 5 abstentions.

19. In its written statement, the International League for the Rights of Man referred to three items of the provisional agenda under which the statement might be dealt with: item 5, Study of discrimination in the matter of religious rights and practices; item 6, Study of discrimination in the matter of political rights; and item 11, Measures to be taken for the cessation of any advocacy of national, racial, or religious hostility that constitutes an incitement to hatred and violence, jointly or separately.

20. There was a difference of opinion in the Sub-Commission as to the item under which the statement could most appropriately be examined. Some members expressed the view that it fell most logically under item 5, others argued that it was relevant to item 11, while still others suggested that it might be considered under item 9, Observations on the Proceedings of the Second United Nations Conference of Non-Governmental Organizations Interested in the Eradication of Prejudice and Discrimination. In reply to a question, the representative of the International League for the Rights of Man stated that his organization would prefer the statement to be dealt with under a separate item of the agenda.

21. It was agreed that the Sub-Commission was free to examine the statement in connexion with any relevant item.

22. The Sub-Commission unanimously adopted the following agenda for the twelfth session:

1. Election of officers
2. Adoption of the agenda
3. Invitation to the Commission on the Status of Women
4. Communications relating to the prevention of discrimination and the protection of minorities
5. Study of discrimination in the matter of religious rights and practices: Report prepared by the Special Rapporteur, Mr. A. Krishnaswami
6. Study of discrimination in the matter of political rights: Memorandum submitted by the Special Rapporteur, Mr. Hernan Santa Cruz

7. Measures to be taken for the cessation of any advocacy of national, racial, or religious hostility that constitutes an incitement to hatred and violence, jointly or separately
8. Study of discrimination in the matter of the right of everyone to leave any country, including his own, and to return to his country, as provided in article 13, paragraph 2, of the Universal Declaration of Human Rights: Memorandum submitted by Mr. José D. Ingles
9. Measures taken by UNESCO for the preparation of international instruments relating to discrimination in education: Note by the Director General of UNESCO
10. Observations on the proceedings of the Second United Nations Conference of Non-Governmental Organizations Interested in the Eradication of Prejudice and Discrimination
11. Protection of minorities
12. Future work of the Sub-Commission, including the question of undertaking any new studies, the question of the priority to be given any such studies, and the question of control and limitation of documentation
13. Adoption of the report of the Sub-Commission to the Commission on Human Rights

III. INVITATION TO THE COMMISSION ON THE STATUS OF WOMEN

Item 3 of the agenda

23. At the 279th meeting, the Sub-Commission decided unanimously to invite the Commission on the Status of Women to send a representative to participate in its deliberations when items relating to discrimination based on sex were to be discussed, in accordance with Part A (5) of resolution 48 (IV) of the Economic and Social Council. Subsequently, the Commission on the Status of Women was represented by Mrs. Marie-Hélène Lefaucheux (France), who participated in the work of the Sub-Commission (E/CN.4/Sub.2/SR.286, 289, 296, 297 and 302).

IV. COMMUNICATIONS RELATING TO THE PREVENTION OF DISCRIMINATION
AND THE PROTECTION OF MINORITIES

Item 4 of the agenda

24. The Sub-Commission received, at a private meeting, the confidential list of communications relating to the prevention of discrimination and the protection of minorities received by the United Nations from 1 November 1958 to 31 October 1959 (Sub.2/Communications List No. 9).

25. The Chairman drew the attention of the members to the decision taken by the Commission on Human Rights at its fifteenth session (E/3229, resolution 15 (XV)), to the effect that the Commission would discontinue its practice of voting or taking a decision by which it took note of the distribution of the confidential list of communications and of the replies by Governments, but would continue to mention, in its report to the Economic and Social Council, that the list and the replies had been circulated by the Secretary-General and received by the members of the Commission, as had been done heretofore in the opening paragraph of the chapter dealing with communications in its report to the Economic and Social Council.

26. The Sub-Commission decided to adopt a procedure similar to the one which had been adopted by the Commission.

V. STUDY OF DISCRIMINATION IN THE MATTER OF
RELIGIOUS RIGHTS AND PRACTICES

Item 5 of the agenda

Introduction

27. At the 280th to 306th meetings, the Sub-Commission considered item 5 of its agenda, "Study of discrimination in the matter of religious rights and practices".

28. The Sub-Commission had before it the report on discrimination in the matter of religious rights and practices drawn up by its Special Rapporteur, Mr. A. Krishnaswami (E/CN.4/Sub.2/200 and Conference Room Papers No. 1-86). The report had been prepared in pursuance of resolution B, adopted by the Sub-Commission at its eleventh session (E/CN.4/Sub.2/778, para. 111).

29. The report was divided into six chapters, which were preceded by a Foreword and an Introduction. In the Introduction, the Special Rapporteur outlined the development of the concept of freedom of thought, conscience and religion, and drew attention to the increasing recognition of this concept in national law and on the international level. In Chapters I to IV, he dealt with the nature of the right to freedom of thought, conscience and religion, and analysed a number of problems relating respectively to freedom to maintain or to change religion or belief, freedom to manifest religion or belief, and the question of the status of religions in relation to the State. In Chapter V he outlined his views as to the current trends with respect to recognition and implementation of the right to freedom of thought, conscience and religion. In Chapter VI he presented a programme for action to be taken by the United Nations with a view to eradicating discrimination in the matter of religious rights and practices.

30. In introducing his report, the Special Rapporteur pointed out that it was based primarily upon the draft report (E/CN.4/Sub.2/L.123) which he had submitted to the Sub-Commission at its tenth session, and the supplement thereto (E/CN.4/Sub.2/L.123/Add.1), which he had submitted at its eleventh session. He had, however, revised the draft report and supplement thoroughly, had completely rewritten some portions, and had added new texts or deleted old ones where appropriate, in order to take into account information which had only recently been collected by him, and comments on the earlier drafts which had been made by

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members of the Sub-Commission and the Commission on Human Rights. He realized that some statements in the report had already been overtaken by events, and that he had not been able to give complete satisfaction to all who had commented on the earlier drafts, particularly in cases where these comments had been somewhat contradictory. He therefore assumed full responsibility for the contents of the report and did not ask the Sub-Commission to adopt it as its own. He hoped, however, that the Sub-Commission would address its attention in particular to the programme for action outlined in Chapter VI, which he considered to be the most important portion of the report.

31. The Special Rapporteur further pointed out that his report was essentially an analysis based upon information collected by him and summarized in a series of eighty-six "conference room papers", each of which set forth the de facto and the de jure situation in respect of discrimination in the matter of religious rights in a particular country. He considered these papers to form an integral part of his report, and hoped that they, as well as the report itself, would be given the widest possible distribution. He recalled that, in accordance with arrangements which had been made with the Secretary-General by the Sub-Commission, the conference room papers would be available to anyone who requested them; however, they had been issued only in the language in which they had been prepared: English, French or Spanish. The importance of these papers, he felt, stemmed from the fact that in each of them had been brought together all information pertaining to such discriminatory practices as may subsist in a particular country, as well as measures taken to eradicate such practices, thus giving a balanced view of the situation in that country.

32. In the report itself, the Special Rapporteur explained, he had for the most part refrained from referring to particular countries. The reasons which had led him to choose this approach had been set forth in detail in the Foreword.

33. Since the Sub-Commission had already considered, at its tenth and eleventh sessions, the substance of much of the material found in the report, members held only a brief general debate, relating mainly to the report as a whole and to certain new or revised texts. This was followed by an examination of each Chapter, with particular attention to the proposals for action appearing in

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Chapter VI, and the adoption of a resolution on the report as a whole (see para. 160 of this report).

General debate and comments on the report as a whole

34. In the general debate, statements were made by members of the Sub-Commission, by the representatives of various non-governmental organizations in consultative status (E/CN.4/Sub.2/SR.280-281, 282, 285, 289, 292, 299, 300, 302 and 304), and by the representative of the Commission on the Status of Women (E/CN.4/Sub.2/SR.286, 287, 296, and 297). Written statements relating to the report were circulated jointly by the representatives of the International Catholic Child Bureau, Pax Romana, and the World Federation of Catholic Young Women and Girls (E/CN.4/Sub.2/NGO/13), and by the World Jewish Congress (E/CN.4/Sub.2/NGO/15).

35. Members of the Sub-Commission were unanimous in praising the report which the Special Rapporteur had prepared. Mr. Krishnaswami was congratulated on his success in carrying out, with great skill and painstaking care, an exceptionally comprehensive and constructive study which probably would remain for many years as the classic work in an extremely delicate and controversial field, and which would serve as a guide for action by Governments, non-governmental organizations and private individuals. The report was welcomed not only because of the profound analysis of the problem of discrimination in the matter of religious rights and practices which it contained, based upon the voluminous information which had been collected and which threw new light upon an exceedingly difficult and much misunderstood problem, but also for its scrupulous objectivity and for the excellence of its literary style. It was characterized by some as a landmark in the efforts of the United Nations to eradicate prejudice and discrimination.

36. Several members pointed out that, in accordance with the Sub-Commission's directives, the report had been drawn up not only to serve as a basis for recommendations for action, but also with a view to educating world opinion. In their view the most effective way of combatting discrimination in the matter of religious rights and practices was through sustained educational efforts. Accordingly, they urged that the report should be printed and given wide circulation, and that a brief popular summary should be prepared for use throughout the world, particularly in educational institutions.

37. In commenting on the substance of the report, some members expressed the view that the Special Rapporteur had improperly equated religion with such other beliefs as agnosticism, free thought, atheism and rationalism. Mrs. Mironova and Mr. Ketrzynski expressed regret that he had not given greater emphasis to the importance of avoiding discrimination against persons holding non-religious beliefs. The Special Rapporteur pointed out that he had been guided primarily by article 18 of the Universal Declaration of Human Rights which, in dealing with the right to freedom of thought, conscience and religion, refers to "religion or belief". He added that problems of discrimination against non-believers arose mainly in connexion with the right to maintain and to change one's religion or belief. With few exceptions such problems presented themselves, in connexion with the right to manifest one's religion or belief, only with respect to proselytization or the dissemination of anti-religious propaganda. He had not, therefore, found it useful to give as comprehensive a treatment to the problems of non-religious believers as to those who hold theistic beliefs. Further, the very subject which had been assigned to him for study, "Discrimination in the Matter of Religious Rights and Practices", made it clear that his first concern was to be for those who hold religious convictions.

38. Some members of the Sub-Commission regretted that the report did not include a greater number of specific references to national practices, and suggested that the eighty-six country monographs, which had been circulated as "conference room papers", should be incorporated in the report as finally printed. Others, however, were of the view that these papers should not be given further publication except with the consent of the Government concerned in each case, particularly in view of the fact that some of them contained material from unofficial sources. In this connexion the Special Rapporteur stressed the fact that he considered the series of "conference room papers" to constitute an integral part of his report, and expressed the hope that they would be published in toto either by the United Nations or by one of the non-governmental organizations in consultative status.

39. Mr. Halpern drew attention to what he considered to be certain omissions in the Special Rapporteur's report. He felt that the problem of discrimination on the ground of religion had not been dealt with adequately, although earlier drafts of the report had indicated that information on this very serious problem was to have been collected. In particular, he felt that there should have been a chapter

dealing with discrimination in the enjoyment of other rights which could lead indirectly to a curtailment of the right to manifest a particular religion or belief. He also felt that there should have been a chapter dealing with restrictions upon freedom to teach one's religion or belief, in public or in private. This problem too had been referred to in the progress report and had been the subject of a heading in the outline used for the "country monographs", but reference to it had disappeared in the final report. The right to disseminate one's religion or belief, which was dealt with in the final report, was a wholly different subject.

40. In this connexion the Special Rapporteur pointed out that much information on discrimination with respect to the teaching of one's religion or belief had been collected, and that some of it was to be found in the country monographs. However, his analysis of this information had shown that for the most part it duplicated materials which had been collected and used in connexion with the Study on Discrimination in Education (United Nations Publication, Sales No. 1957.XIV.3). The only information at hand which had appeared to throw new light upon the problem of discrimination in the matter of religious rights and practices was that which dealt with the training of personnel, such as ministers, priests, rabbis, mullahs and imams, and this information had been summarized in the report (paras. 133-135). Information had also been collected on discrimination in the enjoyment of other rights which might lead indirectly to a curtailment of the right to manifest a particular religion or belief, and could be found in a number of country monographs. However, analysis of this information had indicated that for the most part it duplicated data which had been collected and used in connexion with the already-completed studies of discrimination in education and discrimination in employment and occupation, or data which was now being collected for use in the study of discrimination in the matter of political rights. He therefore had found it impossible to prepare a text on this question for insertion in his report.

41. There was some debate on the question whether the report as presented by Mr. Krishnaswami was in its final form, or whether it was to be considered as a draft which could later be modified in the light of the discussions in the Sub-Commission. In this connexion the Special Rapporteur pointed out that he had already presented drafts of the report to the Sub-Commission on two previous occasions, and that he had prepared the new text on the basis of the numerous

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comments and suggestions which had been made. In principle, therefore, his report was now final. He suggested that members of the Sub-Commission should express their views on each section of the report, but should vote only on the proposals for further action (Chapter VI). The report could then be transmitted to the Commission on Human Rights in its present form, accompanied by the individual comments of members of the Sub-Commission and by a resolution of the Sub-Commission which would explain its status, evaluate its usefulness, and make concrete proposals for further action to be taken by the United Nations in respect of discrimination in the matter of religious rights and practices. After the Commission had examined the report, he would feel free to modify its text if necessary, entirely on his own responsibility, and to submit it to the Secretary-General for final publication and distribution. He could not, however, undertake to make fundamental changes in the structure or contents of the report.

42. It was decided that the summary records of the debates on the report would be transmitted to the competent bodies, together with the report itself.

Comments on particular sections of the report

43. Introduction. In the Introduction to his report the Special Rapporteur summarized the development of the concept of the right to freedom of thought, conscience and religion, the gradual recognition of this concept in national law, and the recent trend towards its international recognition. Several members of the Sub-Commission suggested additional historical citations which in their view might well have been included in this part of the report. The Special Rapporteur explained that his intention had been to mention only a few striking examples, and that it would have been impossible to provide a complete historical account of the question.

44. Chapter I. The nature of the right to freedom of thought, conscience and religion. Mr. Halpern suggested that this chapter might have been strengthened by a reference to the Universal Declaration of Human Rights as the fundamental and mandatory basis for the studies carried out by the Sub-Commission; in his view the Sub-Commission, under its terms of reference, had no choice but to take the Declaration as the starting point for each of its studies.

45. Chapter II. Freedom to maintain or to change religion or belief. There were no comments on this chapter.

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46. Chapter III. Freedom to manifest religion or belief. Mr. Halpern regretted that this chapter did not deal more fully with the problem of religious teaching. Others, including the Special Rapporteur, expressed the view that such treatment would have led to unnecessary duplication of the work which the Sub-Commission already had done in connexion with the Study on Discrimination in Education. Mr. Halpern noted that the Special Rapporteur himself had pointed out, in his progress report, that the earlier study had dealt primarily with the right of the child to learn, whereas the Sub-Commission was now considering the right of the adult to teach the child; he considered the right of believers to give their children religious instruction to be quite separate from the right to disseminate a religion or belief, and to represent an absolutely fundamental aspect of religious freedom.

47. In connexion with the problem of conscientious objection to military service, Mr. Hiscocks felt that the Special Rapporteur should have expressed a preference for a state of affairs in which conscientious objectors are legally tolerated and their scruples are respected, as superior to one in which this is not the case, and regretted that he had not done so.

48. Chapter IV. The status of religions in relation to the State. Mr. Halpern regretted the omission of reference to militant atheism in the report; he personally believed that this constituted one of the most serious threats to religious freedom in the world today. The Special Rapporteur had classified countries from a juridical point of view into three categories: those which have an Established Church or State religion, those in which several religions are recognized by the State, and those in which the State is separated from religion; Mr. Halpern felt that he should have added a fourth category to cover the case of States which took an anti-religious or atheistic attitude. He expressed the view that as the Special Rapporteur did not wish to add a fourth category, he should make it clear that States which took a militant anti-religious position lacked the neutrality which entitled them to be placed in the third category and that they should have been placed in the first category of countries having an established State belief. The Special Rapporteur stated, in reply, that this suggestion had been put to him on previous occasions but that he had not been able to accept this point of view.

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49. Chapter V. Trends and conclusions. Several members of the Sub-Commission expressed the view that the report should have devoted more attention, on the one hand, to the trend towards greater tolerance displayed by religious groups themselves, and on the other hand to the problem of religious persecution. It was also pointed out that events which had occurred after the report had been completed clearly demonstrated that while, generally speaking, religious tolerance was becoming increasingly frequent in the modern world, discrimination and persecution on the ground of religion were not only historical but modern and current issues.

50. Chapter VI. A programme for action. In commenting upon the programme for action proposed by the Special Rapporteur, Mr. Juvigny emphasized the importance of establishing a favourable atmosphere which would lead to world-wide acceptance of measures designed to eradicate discrimination in the matter of religious rights and practices. While agreeing that the State's responsibility was to protect religious groups threatened by activities of other groups, to establish standards in education which would instil in youth a sense of tolerance and brotherhood, and to create conditions which would bring the force of aroused public opinion to bear against acts of discrimination, he pointed out that in many cases a mobilization of public opinion by private individuals and groups could operate more effectively, especially when discrimination resulted from the action or inertia of the State itself. Other members of the Sub-Commission, in particular Messrs. Halpern, Hiscocks, Rodriguez Fabregat and Schaulsohn, associated themselves with this point of view and urged that energetic programmes of education be undertaken as a means for ensuring respect for religious rights by Governments as well as by individuals and groups.

Examination of the basic rules formulated by the Special Rapporteur

51. In his report the Special Rapporteur submitted to the Sub-Commission (para. 217) a series of "basic rules" which, he explained, were intended to show how the goals proclaimed in the Universal Declaration of Human Rights might be achieved. The basic rules were accompanied by a series of suggestions for action to be taken within the framework of the United Nations with a view to eradicating discrimination in the matter of religious rights and practices.

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52. The Sub-Commission examined the basic rules separately and in detail, although several members felt that they should have confined themselves to an expression of their individual views thereon. After revising and adopting the rules, the Sub-Commission considered various proposals for further action, and prepared its recommendations to the Commission on Human Rights.

53. There was considerable discussion as to the form which the rules might eventually take. It was agreed that since they were to be submitted to the Commission in the name of the Sub-Commission rather than in the name of the Special Rapporteur, and would thus have an existence independent of the Special Rapporteur's report, special precautions would have to be taken to ensure their precision and clarity.

54. Some members of the Sub-Commission felt that a decision should be taken at an early stage as to whether the rules, when revised, were to be incorporated in a recommendation of the United Nations, a declaration, or an international instrument or instruments; such a decision, in their view, would have a determining influence upon the drafting of the texts. The prevailing view, however, was that no final decision should be taken as to the disposition of the rules until a later stage, after their exact contents had been more fully agreed upon.

55. It was generally agreed that the Sub-Commission would not accept the term "rules" as applicable to the texts which it would draft, inasmuch as this term normally connoted provisions which had a binding legal effect; the Sub-Commission would attempt to find a more general term, with the understanding that it would eventually be for the higher organs of the United Nations to decide upon the final terminology. However, since the Special Rapporteur had called his draft proposals "rules", this term was used throughout the discussion as a matter of convenience.

56. In the general debate on the rules as formulated by the Special Rapporteur, two principal suggestions for reorganization were put forward. The first was that since rules 3 to 11 covered various specific aspects of the general principle enunciated in rule 2, they should be made subordinate to that rule. The second was that all references to limitations should be eliminated from the individual rules, and that these and any other necessary limitations should be incorporated

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in a single rule, this rule would not be applicable to the right to adhere, or not to adhere, to a religion or belief, but only to the right to manifest a religion or belief. The Sub-Commission accepted both suggestions and bore them in mind in its examination of the proposed rules.

57. The Representative of the Commission on the Status of Women drew the attention of the Sub-Commission to the discrimination against women resulting from certain religious practices or traditions. She felt that practices such as marriage without the consent of the woman, arbitrary repudiation of wives, and the ritual mutilation of girls could not be justified by the principle of freedom of religion. She made some suggestions concerning the formulation of rules 2 and 9 as proposed by the Special Rapporteur.

58. Rule 1. As formulated by the Special Rapporteur, the rule read as follows:

"1. Everyone should be free to adhere, or not to adhere, to a religion or belief, in accordance with the dictates of his conscience.

"2. Parents should have a prior right to decide upon the religion or belief in which their child should be brought up. When a child is torn from its family environment, the decision as to the religion or belief in which that child is to be brought up should be made primarily in accordance with the objectively ascertained interests of the child, due attention being paid to the expressed or presumed wish of the parents.

"3. No one should be subjected to coercion or to improper inducements likely to impair his freedom to maintain or to change his religion or belief."

59. Amendments to the rule were submitted by Messrs. Hiscocks (E/CN.4/Sub.2/L.160), Juvigny (L.161), Ketrzynski (L.163), Schaulsohn (L.164 and 166), and Halpern (L.171). In paragraph 1 of the rule, Mr. Ketrzynski proposed insertion of the words "religious or secular" before the word "belief". In paragraph 2 of the rule, Mr. Halpern proposed insertion of the words "or, when applicable, legal guardians", after the word "parents". In the same paragraph, Mr. Hiscocks proposed that the full-stop after the first sentence should be replaced by a comma and the whole of the second sentence by the following: "and this principle should be taken fully into account in deciding on the religious education of children who have been separated from their parents". Mr. Ketrzynski proposed that the words "torn from" should be replaced by "deprived of". Mr. Schaulsohn proposed that the following

text should be substituted for that proposed by Mr. Hiscocks: "and, in deciding on the religious education of children who have been separated from their parents, this principle should be taken fully into account by the persons to whose care or protection the children are entrusted". In paragraph 3 of the rule, Mr. Hiscocks proposed to replace "to coercion or to improper inducements" by "to any form of coercion or inducement". Mr. Juvigny proposed to replace the paragraph by the following: "No one shall be subjected to coercion likely to impair his freedom to maintain or to change his religion or belief". He later accepted Mr. Schaulsohn's suggestion to include the words "material or moral" before the word "coercion" in this amendment, and Messrs. Hiscocks and Ketrzynski withdrew their amendments to this paragraph in favour of the new text.

60. In an effort to achieve a compromise between the differing points of view, the Chairman submitted an amendment to paragraph 2 of the rule, as follows (L.168): "Parents should have the prior right to decide upon the religion or belief in which their child should be brought up, and in the case of a child who has been deprived of his parents, their expressed or presumed wish should be duly taken into account, the best interests of the child being the guiding principle."

61. The Sub-Commission first considered a proposal by Mr. Rizk (L.170), to replace the title of section I of the rules to "Freedom to adhere to or change religion or belief". This proposal was adopted by 8 votes to 1, with 3 abstentions.

62. Mr. Ketrzynski withdrew his proposal to add the words "religious or secular" before the word "belief", on the understanding that the Sub-Commission interpreted the word "belief" in its widest sense, as covering both religious and secular beliefs.

63. Paragraph 1 of rule 1, as prepared by the Special Rapporteur, was adopted unanimously. Mr. Halpern's amendment to paragraph 2, to insert after the word "parents" the words "or, when applicable, legal guardians", was adopted by 8 votes to 1, with 4 abstentions. It was decided to retain the word "prior" by 11 votes to 2. After the Chairman had agreed to change the word "his" to "its" in the compromise text, his proposal was adopted unanimously. Paragraph 3 of rule 1, as modified by the amendment of Mr. Juvigny and the sub-amendment of Mr. Schaulsohn, was adopted unanimously. The Sub-Commission decided to replace the word "should",

wherever it appeared in the Special Rapporteur's proposed rules, by the word "shall". Rule 1 as a whole, as amended, was adopted unanimously as follows:

"Freedom to Adhere to or to Change Religion or Belief"

"RULE 1

"1. Everyone shall be free to adhere, or not to adhere, to a religion or belief, in accordance with the dictates of his conscience.

"2. Parents or, when applicable, legal guardians, shall have the prior right to decide upon the religion or belief in which their child should be brought up. In the case of a child who has been deprived of its parents, their expressed or presumed wish shall be duly taken into account, the best interests of the child being the guiding principle.

"3. No one shall be subjected to material or moral coercion likely to impair his freedom to maintain or to change his religion or belief."

64. Rule 2. As formulated by the Special Rapporteur, the rule read as follows:

"Everyone should be free to comply with what is prescribed or authorized by his religion or belief, and free from performing acts incompatible with the prescriptions of his religion or belief."

65. Amendments to the rule were submitted Messrs. Hiscocks (E/CN.4/Sub.2/L.173), Halpern (L.175), Krishnaswami and Schaulsohn (L.176), and subsequently these were put forward in revised form by Messrs. Halpern, Hiscocks and Matsch (L.177), Ketrzynski (L.163), and Krishnaswami, Rizk and Schaulsohn (L.178). Mr. Hiscocks also proposed orally that the words "or authorized" should be deleted, in line with a suggestion made by the representative of the Commission on the Status of Women.

66. As a majority of the members considered rule 2 to be a basic provision governing a number of more detailed rules which would follow it, the discussion centred around the problem of finding a suitable formula which would make this clear. It was agreed that rule 2 and those which immediately followed it should be made, unlike rule 1, subject to certain limitations which were necessary in the interest of society as a whole.

67. Mr. Hiscocks' amendment, which he had revised to read "subject to the limitations contained in rule 16", was rejected by 7 votes to 3, with 3 abstentions. The first part of the joint amendment of Messrs. Halpern, Hiscocks and Matsch, consisting of the words "particularly in the following respects", was adopted by

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10 votes to none, with 3 abstentions. The joint amendment of Messrs. Krishnaswami, Rizk and Schaulsohn, as revised by its sponsors to read, "subject to the interests of society as a whole, as provided in rule ---", was adopted by 8 votes to 3, with 2 abstentions. The words "or authorized" were retained by 8 votes to 3, with 2 abstentions. Rule 2, as amended, was adopted unanimously, as follows:

"Everyone shall be free to comply with what is prescribed or authorized by his religion or belief, and free from performing acts incompatible with the prescriptions of his religion or belief, particularly in the following respects, subject to the interest of society as a whole as provided in rule ---."

68. Rule 3. As formulated by the Special Rapporteur, the rule read as follows:

"1. Everyone should be free to worship in accordance with the prescriptions of his religion or belief, either alone or in community with others, and in public or in private.

"2. Equal protection should be accorded to all forms of worship, places of worship, and objects necessary for the performance of rites."

69. An amendment to rule 3 was submitted by Mr. Ketrzynski (E/CN.4/Sub.2/L.163), to add the following as paragraph 3: "The same protection shall be accorded to all manifestations and activities of movements which represent secular beliefs". Mr. Rizk orally proposed that the words "or manifest his belief" should be inserted after the words "to worship", and that a third paragraph should be added reading as follows: "The same protection shall be accorded to the manifestations of those who hold secular beliefs". However, both proposals were subsequently withdrawn on the understanding that the idea underlying them had been expressed in rule 2 as adopted, which was to serve as an "umbrella clause" for a number of articles which would follow it. The Special Rapporteur withdrew the words "in accordance with the prescriptions of his religion or belief" which appeared in his proposal for rule 3, since the adoption of the "umbrella clause" had made the phrase redundant.

70. Mr. Ketrzynski proposed that a new paragraph should be added to the rule, as revised, which would read (L.182): "Anyone professing non-religious beliefs should be free to do so without suffering discrimination of any kind." However, at the suggestion of the Chairman, he agreed to resubmit this proposal at a later stage as an additional rule (see paras. 142-144 of this report).

71. Rule 3, as revised by the Special Rapporteur, was adopted unanimously, as follows:

"1. Everyone shall be free to worship, either alone or in community with others, and in public or in private.

"2. Equal protection shall be accorded to all forms of worship, places of worship, and objects necessary for the performance of rites."

72. Rule 4. As formulated by the Special Rapporteur, the rule read as follows:

"The possibility for pilgrims to journey to sacred places as acts of devotion prescribed by their religion or belief, whether inside or outside their own country, should be assured."

73. Amendments to the rule were submitted by Messrs. Halpern (E/CN.4/Sub.2/L.181 and L.187), Juvigny (L.184), and Sapozhnikov (L.185). Mr. Halpern orally revised his second amendment, as suggested by Mr. Rizk, and proposed to substitute for the first sentence of the rule the following: "The members of a religion or belief shall have the right, as acts of devotion, to journey to places sacred to their religion or belief, whether inside or outside their country". This would be followed by a new paragraph reading: "Travel abroad to attend convocations or meetings of members of a religion or belief, held for purposes directly related to the religion or belief, shall be permitted and communication among such members, whether inside or outside the country, shall be permitted for the same purposes". In addition, he proposed to add at the end of the rule a second new paragraph as follows: "Where the government controls the means of production and distribution, it should make available without discrimination the facilities necessary to enable the members concerned to exercise this freedom". Subsequently, however, Mr. Halpern withdrew both proposals for new paragraphs, the second proposal being withdrawn on the ground that it would be covered by rule 16. Mr. Juvigny proposed that rule 4 should read: "Everyone shall be guaranteed the possibility of making pilgrimages to sacred places as acts of devotion, whether inside or outside his own country". This proposal also was withdrawn. Mr. Sapozhnikov proposed to add at the end of rule 4 the following: "subject to compliance with existing State regulations governing entry into and exit from the country".

74. The amendment of Mr. Sapozhnikov was rejected by 6 votes to 2, with 5 abstentions. The Special Rapporteur revised his text in the light of the discussion in order to make it clear that a freedom, rather than a mere

possibility, was involved. The revised text was adopted by
as follows:

"Everyone shall have the freedom, as acts of devotion, to journey
to sacred places, whether inside or outside his country."

75. Rule 5. As formulated by the Special Rapporteur, the rule read as follows:

"1. The members of a religion or belief should not be prevented from
acquiring or producing articles necessary for the performance of the
rituals prescribed by their religion or belief, such as prayer books,
candles, and ritual wine.

"2. Where the Government controls the means of production and
distribution, it should make such articles, or the means for producing
them, available to the groups concerned."

76. Amendments were proposed by Messrs. Ingles (E/CN.4/Sub.2/L.172 and L.186),
Mr. Halpern (L.181), and Mr. Juvigny (L.184). Mr. Ingles' second amendment,
that the first paragraph should include not only a reference to the performance
of rituals but also to the observance of practices, including dietary practices,
was accepted by the Special Rapporteur. Mr. Halpern withdrew his amendment, to
insert the words "or importing", after the words "acquiring or producing" in
view of the Sub-Commission's understanding that the term "acquiring" included
the idea of "importing". Mr. Juvigny's amendment did not affect the English text.

77. Mr. Ketrzynski proposed the deletion of paragraph 2 of the rule, as
redrafted by Mr. Ingles and accepted by the Special Rapporteur. This proposal
was rejected by 5 votes to 4, with 4 abstentions. Paragraphs 1 and 2 of the
rule were adopted unanimously, and the rule as amended was adopted unanimously,
as follows:

"1. The members of a religion or belief shall not be prevented from
acquiring or producing all materials and objects necessary for the
performance or observance of prescribed rituals or practices, including
dietary practices.

"2. Where the Government controls the means of production and
distribution, it shall make such materials or objects, or the means of
producing them, available to the members of the religion or belief
concerned."

78. Rule 6. As formulated by the Special Rapporteur, the rule read as follows:

"1. The prescriptions of religion or belief of a deceased person should be followed in the assignment of places for burial, cremation or other methods of disposal of the dead, the display in such places of religious or other symbols, and the performance of funeral or commemorative rites.

"2. Equal protection against desecration should be afforded to all places for burial, cremation or other methods of disposal of the dead, as well as to religious and other symbols displayed in these places; and equal protection against interference by outsiders should be afforded to the funeral or commemorative rites of all religions and beliefs."

79. Amendments to the rule were submitted by Mr. Hiscocks (E/CN.4/Sub.2/L.160) and orally by Mr. Halpern. Mr. Hiscocks proposed to replace the two paragraphs by one paragraph as follows: "Freedom to follow the prescriptions of the religion or belief of a deceased person should be assured in all matters affecting burial, cremation, or other methods of disposal of the dead, the display in such places of religious or other symbols, and the performance of funeral or commemorative rites. Equal protection for all religions and beliefs should be afforded to ensure this freedom." Mr. Halpern proposed that after the words "deceased person", the phrase "unless he has expressed a wish to the contrary" should be added.

80. The Special Rapporteur, after accepting drafting suggestions put forward by Messrs. Halpern and Rizk, revised the text of paragraph 1 to read, "in all matters affecting burial, cremation or other methods of disposal of the dead, particularly in the assignment of places for such disposal, the display in such places of religious or other symbols....".

81. Mr. Hiscocks' amendment was rejected by 7 votes to 2, with 3 abstentions. Mr. Halpern's oral amendment was rejected by 4 votes to 3, with 5 abstentions. The rule, as revised by the Special Rapporteur, was put to the vote. A separate vote was taken on the phrase "the assignment of places for such disposal". This phrase was adopted by 5 votes to 2, with 5 abstentions. The rule, as revised, was adopted by 10 votes to none, with 2 abstentions, as follows:

"1. The prescriptions of the religion or belief of a deceased person shall be followed in all matters affecting burial, cremation or other methods of disposal of the dead, particularly in the assignment of places for such disposal, the display in such places of religious or other symbols, and the performance of funeral or commemorative rites.

"2. Equal protection against desecration shall be afforded to all places for burial, cremation or other methods of disposal of the dead, as well as to religious and other symbols displayed in these places; and equal protection against interference by outsiders shall be afforded to the funeral or commemorative rites of all religions and beliefs."

82. Rule 7. As formulated by the Special Rapporteur, the rule read as follows:

"The prescriptions of each religion or belief relating to holidays and days of rest should be taken into account, subject to the overriding consideration of the interest of society as a whole."

83. An amendment to the rule was submitted by Mr. Hiscocks (E/CN.4/Sub.2/L.162), who proposed that the text should be replaced by the following: "Due account shall be taken by public authorities of the prescriptions of each religion or belief relating to holidays or days of rest."

84. The Special Rapporteur accepted this amendment in part, omitting the words "by public authorities", since other employers in addition to public authorities were involved. The rule, as amended, was adopted unanimously, as follows:

"Due account shall be taken of the prescriptions of each religion or belief relating to holidays or days of rest."

85. Rule 8. As formulated by the Special Rapporteur, the rule read as follows:

"1. No one should be prevented from observing the dietary practices prescribed by his religion or belief.

"2. Where the Government controls the means of production and distribution, it should place the objects necessary for observing dietary practices prescribed by particular religions or beliefs, or the means of producing them, at the disposal of members of those religions or beliefs."

86. Because the words "including dietary practices" had already been included in rule 5 as adopted (see para. 77 of this report), the Special Rapporteur accepted the consequential amendment of Mr. Ingles (E/CN.4/Sub.2/L.172) to delete paragraph 2 of his text which repeated the substance of the second paragraph of rule 5. The rule as revised was adopted unanimously as follows:

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"No one shall be prevented from observing the dietary practices prescribed by his religion or belief."

87. Rule 9. As formulated by the Special Rapporteur, the rule read as follows:

"1. No one should be prevented from having marriage rites performed in accordance with the prescriptions of his religion or belief, nor compelled to undergo a religious marriage ceremony not in conformity with his convictions.

"2. The right to seek and to obtain a divorce should not be denied to anyone whose convictions admit divorce, solely on the ground that he professes a particular religion or belief."

88. Several members of the Sub-Commission, including Messrs. Juvigny, Rodriguez Fabregat, Sapozhnikov and Schaulsohn, expressed some misgivings about paragraph 1 of the rule as drafted; they pointed out that it seemed to give the impression that a person should be permitted to marry in accordance with the prescriptions of his religion or belief, but need not conform to national regulations concerning the civil ceremony. In some countries religious personnel could be prosecuted for marrying a couple who did not possess a civil marriage certificate. In many countries a couple had to go through a civil form of marriage first, but were free to arrange for a religious ceremony afterwards. The Special Rapporteur explained that in his view the rule as drafted did not prejudice the civil marriage regulations in force in various countries. However, he subsequently revised the text of paragraph 1 of the rule in order to lay primary emphasis on civil law, while ensuring to all the right to have their marriage performed in a religious ceremony (E/CN.4.Sub.2/L.188), as follows:

"1. Without prejudice to the right of the State to lay down the conditions of a valid marriage, no one shall be prevented from having marriage rites performed in accordance with the prescriptions of his religion or belief.

"1a. No one shall be compelled to undergo a religious marriage ceremony not in conformity with his convictions."

89. Mr. Saario submitted an amendment to paragraph 2 of the rule (L.189), which he later orally amended by substituting the broader term, "dissolution of marriage" for the word "divorce". Messrs. Ingles and Krishnaswami also submitted a joint amendment to paragraph 2 of rule 9 (L.190). Mr. Halpern proposed the deletion of paragraph 2.

90. The proposal to delete paragraph 2 of the rule was rejected by 6 votes to 5, with 1 abstention. Mr. Saario's amendment to paragraph 2, as revised by its author in the light of the discussion was adopted by 8 votes to 2, with 3 abstentions. Rule 9, as revised, was adopted unanimously, as follows:

"1. Without prejudice to the right of the State to lay down the conditions of a valid marriage, no one shall be prevented from having marriage rites performed in accordance with the prescriptions of his religion or belief.

"2. No one shall be compelled to undergo a religious marriage ceremony not in conformity with his convictions.

"3. The right to seek and to obtain a dissolution of marriage shall be determined solely in accordance with the provisions of the law applicable to it without any adverse distinction being based upon the religion or belief of the parties."

91. Rule 10. As formulated by the Special Rapporteur, the rule read as follows:

"Everyone should be free to disseminate a religion or belief, in so far as his actions do not impair the right of any other individual to maintain his religion or belief."

92. Amendments to the rule were submitted by Messrs. Hiscocks (E/CN.4/Sub.2/L.182) who proposed to replace the word "right" by the word "freedom" and Halpern (L.181) who proposed the addition to the rule of a new paragraph, as follows:

"4. Equal opportunity and protection shall be given for the propagation of all religions or beliefs. Where the government controls the means of production and distribution, the necessary materials and facilities, and access to the media of public information, shall be made available to all religions and beliefs without discrimination."

93. In the light of the discussion which took place in the Sub-Commission, the Special Rapporteur revised the rule to read:

"Everyone shall be free to disseminate his religion or belief."

94. Mr. Hiscocks withdrew his amendment to the original text of the rule as it no longer applied to the revised text. Mr. Halpern withdrew the second sentence to his amendment of the rule on the ground that it would be covered by rule 16, and revised the first sentence to read:

"Equal protection shall be given for the propagation of all religions or beliefs."

This sentence was rejected by 5 votes to 1, with 7 abstentions.

95. The text of rule 10, as revised by the Special Rapporteur, was adopted unanimously, as follows:

"Everyone shall be free to disseminate his religion or belief."

96. At a subsequent meeting, the Sub-Commission examined a proposal by Mr. Halpern (L.179) to insert a new rule, which would read as follows:

"1. Everyone shall have the right to manifest his religion or belief in teaching, either in public or in private, and to conduct public classes for that purpose for adults and for children and to maintain private schools for the teaching of religion or belief.

"2. When the Government controls the means of production and distribution, it should make available without discrimination the materials necessary to implement this provision.

"3. No one shall be compelled to receive religious or atheistic instruction, contrary to his convictions or, in the case of children, contrary to the wishes of their parents and, when applicable, legal guardians."

97. Some members of the Sub-Commission, in particular Messrs. Hiscocks, Ketrzynski and Schaulsohn, and Mrs. Mironova, pointed out that the text for the most part repeated principles which already had been stated elsewhere; for this reason they considered it unnecessary. Mr. Ingles suggested that Mr. Halpern's amendment could usefully be incorporated in rule 10 if the Sub-Commission were to agree to reconsider that rule. Mr. Halpern, after considering these views, stated that the substance of the first paragraph of his amendment might have been covered by rule 10 if that rule had been drafted to read:

"Everyone shall be free to teach and to disseminate, in public or in private...."

98. The Sub-Commission decided, by 9 votes to 2, with 2 abstentions, to reopen the discussion on rule 10. Mr. Halpern formally proposed that rule 10 should be revised to read:

"Everyone shall be free to teach or to disseminate his religion or belief, either alone or in community with others, and in public or private."

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99. Separate votes were taken on several parts of the text. The words, "to teach" were adopted by 10 votes to 1, with 2 abstentions. The phrase, "alone or in community with others", was rejected by 4 votes to 3, with 6 abstentions. The phrase "in public or in private" was adopted by 5 votes to 3, with 5 abstentions. The rule, as amended, was adopted by 11 votes to none, with 2 abstentions, as follows:

"Everyone shall be free to teach or to disseminate his religion or belief, either in public or private."

100. Mr. Halpern proposed that paragraph 3 of what he had originally proposed as a new rule (L.179), should be added to rule 10 as a second paragraph.

101. The proposal was adopted by 7 votes to 4, with 2 abstentions. Rule 10 as a whole, as amended, was adopted by 11 votes to none, with 2 abstentions, as follows:

"1. Everyone shall be free to teach or to disseminate his religion or belief, either in public or in private.

"2. No one shall be compelled to receive religious or atheistic instruction, contrary to his convictions or, in the case of children, contrary to the wishes of their parents and, when applicable, legal guardians."

102. Rule 11. As formulated by the Special Rapporteur, the rule read as follows:

"1. No group professing a religion or belief should be prevented from training the personnel required for the performance of practices or observances prescribed by that religion or belief.

"2. When such training is available only outside the country, no permanent limitations should be placed upon travel abroad for the purpose of undergoing such training."

103. The Special Rapporteur amended the end of paragraph 1 to read:

"...for the performance of its practices or observances."

104. Several members of the Sub-Commission supported the view expressed by the representative of the Commission on the Status of Women, that the word "required" in the first paragraph was inappropriate; they agreed that it was essential to state that the service should be voluntary. The Special Rapporteur accepted an amendment proposed orally by Mr. Juvigny, to substitute the words "the personnel intending to devote themselves to the performance of practices ..." for the words "the personnel required for the performance of practices ...".

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105. Mr. Ingles proposed (E/CN.4/Sub.2/L.172) to add the following text at the end of paragraph 1:

"... or denied the right to bring necessary religious teachers from abroad."

Subsequently Mr. Ingles orally modified his amendment to read:

"... or from bringing from abroad the teachers necessary for that purpose."

106. A separate vote was taken on the word "permanent" in paragraph 2. It was retained by 8 votes to 2, with 1 abstention.

107. The amendment proposed by Mr. Ingles, as revised, was adopted by 10 votes to none, with 3 abstentions. The rule as a whole, as amended, was adopted by 12 votes to none, with 1 abstention, as follows:

"1. No group professing a religion or belief shall be prevented from training the personnel intending to devote themselves to the performance of its practices or observances, or from bringing from abroad the teachers necessary for that purpose."

"2. When such training is available only outside the country, no permanent limitations shall be placed upon travel abroad for the purposes of undergoing such training."

108. Rule 12. As formulated by the Special Rapporteur, the rule read as follows:

"No one should be compelled to take an oath contrary to the prescriptions of his religion or belief."

109. In view of the adoption of rule 2, the text of rule 12 was amended by the Special Rapporteur by the replacement of the words "to the prescriptions of his religion or belief" by the words "to his beliefs".

110. In the course of the discussion it was pointed out that the rule referred only to religious oaths, and that its only purpose was to protect persons whose religion or belief did not permit them to take an oath of a religious nature. It was suggested that this should be made more explicit. The Special Rapporteur, accepting this view, revised the draft rule to refer to "an oath of a religious nature". In addition, he revised the words "contrary to the prescriptions of his religion or belief" to read "contrary to his convictions".

111. The rule, as revised by the Special Rapporteur, was adopted by 12 votes to none, with 1 abstention, as follows:

"No one shall be compelled to take an oath of a religious nature contrary to his convictions."

112. Rule 13. As formulated by the Special Rapporteur, the rule read as follows:

"In a country where the principle of conscientious objection to military service is recognized, exemptions should be granted to genuine objectors in a manner ensuring that no adverse distinction based upon religion or belief may result."

113. Mr. Hiscocks proposed (E/CN.4/Sub.2/L.180) the deletion of this rule as well as rule 14, and explained that in his view they applied to so few cases that they were hardly worth including, and were not comparable in importance with most of the other rules. He recalled the opinion which he had expressed earlier, that a state of affairs in which conscientious objectors are legally tolerated and their scruples are respected is superior to one in which this is not the case.

114. Mr. Juvigny suggested that the reference to a "principle" of conscientious objection should be deleted, as there were countries in which conscientious objection was not recognized by law. The Special Rapporteur accepted this suggestion and revised the rule accordingly. After stressing that in his opinion rule 13 did not go far enough, Mr. Hiscocks withdrew his amendment to delete rules 13 and 14.

115. The rule, as revised, was adopted by 9 votes to 1, with 2 abstentions, as follows:

"In countries where conscientious objection to military service is recognized, exemptions shall be granted to genuine objectors in a manner ensuring that no adverse distinction based upon religion or belief may result."

116. Rule 14. As formulated by the Special Rapporteur, the rule read as follows:

"In a country where exemptions from participation in certain or all public ceremonies are granted to individuals who object to such participation on the ground that it is contrary to a prescription of their religion or belief, such exemptions should be granted in such a manner that no adverse distinction based upon religion or belief may result."

117. The Special Rapporteur revised the text of the rule in the light of discussions which had taken place in connexion with other articles, replacing the words, "contrary to a prescription of their religion or belief" by the words "contrary to their conscience".

118. The rule, as revised, was adopted by 10 votes to 1, with 1 abstention, as follows:

"In countries where exemptions from participation in certain or all public ceremonies are granted to individuals who object to such participation on the ground that it is contrary to their conscience, such exemptions shall be granted in such a manner that no adverse distinction based upon religion or belief may result."

119. Rule 15. As formulated by the Special Rapporteur, the rule read as follows:

"No cleric who receives information in confidence, in accordance with the prescriptions of his religion, should be compelled by public authorities to divulge such information."

120. Mr. Hiscocks proposed (E/CN.4/Sub.2/L.180) that the words "no cleric" should be replaced by the words "no priest or minister of religion", and explained that in his view the word "cleric" was somewhat old-fashioned.

121. Mr. Schaulsohn proposed deletion of the words "by public authorities" inasmuch as the Sub-Commission had avoided using these words in previous rules.

122. Mr. Juvigny proposed that, for the sake of clarity, the words "in accordance with the prescriptions of his religion or belief" should be replaced by the words "in the performance of his duties".

123. The Special Rapporteur, accepting the proposed amendments, revised the rule accordingly. The rule, as revised, was adopted unanimously, as follows:

"No priest or minister of religion who receives information in confidence, in the performance of his duties as prescribed by his religion or belief, shall be compelled to divulge such information."

124. Rule 16. As formulated by the Special Rapporteur, the rule read as follows:

"1. Public authorities should refrain from making any adverse distinction against, or giving undue preference to individuals or groups of individuals with regard to the right to freedom of thought, conscience, and religion; and should prevent any individual or group of individuals from making such adverse distinctions or giving such undue preferences.

"2. These duties must be discharged through the adoption of appropriate legal provisions of a preventive or remedial character, including penal sanctions when necessary, as well as by administrative action.

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"3. Public authorities should make every effort to educate public opinion to an acceptance of the principle of non-discrimination in respect of the right to freedom of thought, conscience and religion and to create proper leadership for this purpose.

"4. In discharging these duties, public authorities should be guided by the following considerations:

"(a) the freedom of everyone to maintain or change his religion or belief must be ensured;

"(b) the freedom of everyone to manifest his religion or belief, either alone or in community with others, and in public or in private, must be ensured as widely as possible. Any limitation imposed upon that freedom should be exceptional, should be confined within the narrowest possible bounds, should be prescribed by law solely for the purpose of security due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society; and should not be exercised in a manner contrary to the purposes and principles of the United Nations;

"(c) in case of a conflict between the requirements of two or more religions or beliefs, public authorities should endeavour to find a solution assuring the greatest measure of freedom to society as a whole, while giving preference to the freedom of everyone to maintain or to change his religion or belief over any practice or observance tending to restrict this freedom;

"(d) public authorities should make no adverse distinctions against, or give undue preference to religions or their followers in the granting of subsidies or exemptions from taxation. The State is however not precluded from levying general taxes or from carrying out obligations assumed as a result of arrangements made to compensate a religious organization for property taken over by sequestration or otherwise, nor from contributing funds for the preservation of religious structures recognized as monuments of historic or artistic value."

125. Limitations provisions of Rule 16. In the discussion of this rule in the Sub-Commission, various members, and in particular Messrs. Halpern, Ingles and Juvigny, pointed out that in their view the question of limitations had not been sufficiently clarified by the Special Rapporteur. They suggested that a closer relationship should be established between the affirmation of the right to freedom of thought, conscience and religion, limitations on the exercise of that right, and the principle of non-discrimination. It was necessary to note the limitations which should be based upon action by States, since it was only by examining the circumstances in which such limitations had been imposed that instances of discrimination could be discovered. The Special Rapporteur explained that whereas in the early drafts of his report he had suggested that a general rule should be devoted to the question of limitations, in preparing the final draft he had accepted a suggestion made by several members of the Sub-Commission at its eleventh session that the question of limitations should be dealt with in the context of a rule setting out the duties of public authorities.

126. After a debate on the question whether the Sub-Commission should prepare an independent text relating solely to limitations, a proposal that such a text should be prepared was adopted by 7 votes in favour and 4 against, with 3 abstentions.

127. The Sub-Commission, in examining those portions of rule 16 which dealt with limitations to be imposed upon the freedom of everyone to manifest his religion or belief, had before it amendments submitted by Messrs. Halpern (E/CN.4/Sub.2/L.194), Juvigny (L.192) and Mrs. Mironova (L.193).

128. After Mr. Halpern had withdrawn several of his proposed amendments and had reformulated the remainder as amendments to the proposal of Mr. Juvigny, the Sub-Commission accepted as a basic working text Mr. Juvigny's proposal which read as follows:

"Place the following two paragraphs at the beginning of the rule:

"1. The freedoms set out in rules 1, 12 and 15 must not be subject to any restrictions.

"2. The freedoms and rights set out in the other rules must be subject only to the limitations prescribed by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society."

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129. After examining the first paragraph of the proposal, the Sub-Commission decided to refer to rules 1, 12 and 15 as not being subject to any restrictions. Separate votes were taken on the inclusion in this category of each of the four paragraphs of rule 1. It was agreed unanimously to include paragraphs 1, 3 and 4, and by 10 votes in favour and none against, with 3 abstentions to include paragraph 2. The first paragraph of Mr. Juvigny's proposal, as amended, was unanimously adopted. Mr. Sharaf proposed an amendment to paragraph 2, to replace the words "and of meeting the just requirements of morality, public order and the general welfare" by "and in conformity with public order (ordre public).". This amendment was rejected by 4 votes to 5, with 2 abstentions.

130. Mrs. Mironova proposed to add the word "health" after the word "morality" in paragraph 2. This proposal was adopted unanimously.

131. Mr. Halpern proposed the addition of two sentences to the end of paragraph 2, as follows: "Any limitations which may be imposed shall not be inconsistent with the purposes and principles of the United Nations. Any such limitations shall be confined within the narrowest possible bounds." Mr. Sharaf proposed, as an amendment to this amendment, the substitution of the words "shall be consistent" for the words "shall not be inconsistent". The proposal was adopted by 8 votes in favour to none against, with 4 abstentions. The first sentence of Mr. Halpern's amendment, as amended, was adopted by 6 votes in favour to 5 against, with 1 abstention. The second sentence was rejected by 7 votes to 3, with 3 abstentions.

132. Mrs. Mironova proposed the addition of a new sub-paragraph to paragraph 2 of Mr. Juvigny's proposal, as follows: "These freedoms may in no case be exercised contrary to the purposes and principles of the United Nations." The proposal was adopted by 5 votes in favour and 2 against, with 6 abstentions.

133. The proposal as a whole, as amended, was adopted unanimously, as follows:

"1. The freedoms set out in rules 1 (paragraphs 1, 2, 3 and 4), 12, and 15 shall not be subject to any restrictions.

"2. (a) The freedoms and rights set out in the other rules shall be subject only to the limitations prescribed by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, health, public order and the general welfare in a democratic society. Any limitations which may be imposed shall be consistent with the purposes and principles of the United Nations.

"(b) These freedoms and rights may in no case be exercised contrary to the purposes and principles of the United Nations."

134. Other provisions of Rule 16. In the discussion of the remainder of rule 16, several suggestions were made by members of the Sub-Commission with regard to provisions which should be retained in the rule and those which should be dealt with elsewhere. In particular it was suggested by Mr. Schaulsohn that paragraph 1 of the rule, as originally drafted, might be combined with paragraphs 4 (c) and (d), inasmuch as each of these paragraphs stated a principle. Mr. Ketrzynski proposed (E/CN.4/Sub.2/L.191) that a full-stop should be placed after the words "and religion", and that the clause beginning with the words "and to create" should be replaced by the following sentence: "To create proper leadership for this purpose, it should be the duty of the public authorities to encourage, through education, respect for the dignity of man, and to promote a spirit of understanding, tolerance and friendship among all nations and all racial and religious groups." Other provisions of the rule, in the view of some members, were unnecessary or repetitious, and should therefore be deleted.

135. In accordance with the suggestions made in the course of the debate, the Special Rapporteur revised the remaining texts of rule 16 and submitted to the Sub-Commission two new proposals. The first proposal was to revise rule 16 to read as follows (L.201):

"1. Public authorities shall refrain from making any adverse distinctions against, or giving undue preference to, individuals or groups of individuals with respect to the right to freedom of thought, conscience and religion; and shall prevent any individual or group of individuals from making such adverse distinctions or giving such undue preferences, particularly in the following respects:

"(a) In the event of a conflict between the demands of two or more religions or beliefs, public authorities shall endeavour to find a solution reconciling these demands in a manner such as to ensure the greatest measure of freedom to society as a whole;

"(b) In the granting of subsidies or exemption from taxation, no adverse distinctions shall be made between, and no undue preference shall be given to, any religion or belief or its followers. However, public authorities shall not be precluded from levying general taxes or from carrying out obligations assumed as a result of arrangements made to compensate a religious organization for property taken over by the State or from contributing funds for the preservation of religious structures recognized as monuments of historic or artistic value."

136. The second proposal, drafted along the lines of the amendment submitted by Mr. Ketrzynski (L.191), was to insert a new paragraph (L.200) after paragraph 3 of the preamble. This proposal was adopted by the Sub-Commission at a later stage (see para. 153 of this report).

137. Several amendments to the revision of rule 16 were put forward by members of the Sub-Commission. Mr. Halpern proposed that the words "or on the ground of religion or belief" should be inserted after the words "freedom of thought, conscience and religion". The Special Rapporteur indicated that the subject-matter had already been dealt with in sub-section 4 of rule 1 (see paras. 70 and 142-144 of this report), as adopted by the Sub-Commission. Mr. Halpern withdrew the amendment on the understanding that the Sub-Commission interpreted the words "with respect to the right to freedom of thought, conscience and religion", as drafted by the Special Rapporteur, to refer both to adverse distinctions in the matter of religious rights and practices and to adverse distinctions in other fields of activity on the ground of religion or belief.

138. In response to a proposal by Mr. Halpern, the Special Rapporteur suggested that the words "endeavour to" should be inserted between the words "shall" and "prevent", so that the second part of the opening paragraph would read: "and shall endeavour to prevent any individual ...". Mr. Halpern agreed to accept this formulation on the understanding that the words "endeavour to prevent" would not necessarily refer to legislative or administrative action but would refer primarily to educational and other means of combating discrimination by private persons. The Special Rapporteur, as the draftsman of the text, agreed that this was its intended meaning.

139. After a discussion of the exact meaning to be attributed to the word "undue", the Sub-Commission agreed that it was to be understood as meaning "unjustified", although the Special Rapporteur was of the view that it had a wider significance.

140. The Special Rapporteur agreed to revise the opening portion of the rule to read as follows: "Public authorities shall refrain from making any adverse distinctions against, or giving undue preference to, individuals or groups of individuals with respect to the right to freedom of thought, conscience and religion; and shall endeavour to prevent any individual or group of individuals from doing so." Taking into account the view of several members of the

Sub-Commission that sub-paragraphs (a) and (b) related only to the first part of this text, he agreed to substitute for the words "particularly in the following respects", the words "in particular".

141. A separate vote was taken on the phrase "and shall endeavour to prevent". The phrase was retained by 9 votes in favour and none against, with 3 abstentions. Sub-paragraph (a) was adopted by 10 votes in favour and none against, with 2 abstentions. Separate votes were taken on the two sentences of sub-paragraph (b). The first was adopted by 9 votes in favour and none against, with 3 abstentions; the second by 8 votes in favour and 2 against, with 2 abstentions. The rule as a whole was adopted unanimously, as follows:

"Public authorities shall refrain from making any adverse distinctions against, or giving undue preference to, individuals or groups of individuals with respect to the right to freedom of thought, conscience and religion; and shall endeavour to prevent any individual or group of individuals from doing so. In particular:

"(a) In the event of a conflict between the demands of two or more religions or beliefs, public authorities shall endeavour to find a solution reconciling these demands in a manner so as to ensure the greatest measure of freedom to society as a whole;

(b) In the granting of subsidies or exemptions from taxation, no adverse distinctions shall be made between, and no undue preference shall be given to, any religion or belief or its followers. However, public authorities shall not be precluded from levying general taxes or from carrying out obligations assumed as a result of arrangements made to compensate a religious organization for property taken over by the State nor from contributing funds for the preservation of religious structures recognized as monuments of historic or artistic value."

142. Proposal for a new rule. Mr. Ketrzynski proposed a new rule to follow rule 3, which would read as follows (E/CN.4/Sub.2/L.182):

"Anyone professing non-religious beliefs should be free to do so without suffering discrimination of any kind."

143. Mr. Krishnaswami, while sympathizing with the proposal, suggested that the text would be more in keeping with the rules which had already been adopted if it referred to "any religion or belief" rather than only to "non-religious beliefs". In the light of this suggestion, Mr. Ketrzynski revised his text to read:

"Anyone professing any religious or non-religious belief shall be free to do so without suffering any discrimination on account of his religion or belief." He could not, however, accept the suggestion made by Mr. Schaulsohn, to use the wording, "shall be free to manifest..." and explained that in his view the term "to profess" meant to proclaim a religion or belief publicly and not merely to hold it inwardly. Mr. Krishnaswami suggested that, in order to make this point clear, the word "openly" should be added after the words "free to do so".

144. Mr. Ketrzynski withdrew his amendment, as it had not commanded unanimous support. Mr. Halpern thereupon sponsored the withdrawn amendment in the following terms: "Anyone professing any religious or non-religious belief shall be free to do so openly without suffering any discrimination on account of his religion or belief." Mr. Schaulsohn proposed that the words "to manifest it" should be substituted for the words "to do so" in Mr. Halpern's draft amendment. This proposal was rejected by 5 votes to 3, with 4 abstentions. The amendment proposed by Mr. Halpern was adopted by 10 votes to 1, as follows:

"Anyone professing any religious or non-religious belief shall be free to do so openly without suffering any discrimination on account of his religion or belief."

145. Preamble. At the 298th meeting, Mr. Abdel-Ghani proposed that the provisions which had been adopted by the Sub-Commission should be preceded by a Preamble, as follows (E/CN.4/Sub.2/L.183):

"Whereas the Peoples of the United Nations have, in the Charter, reaffirmed their faith in Human Rights and Fundamental Freedoms and whereas the right to freedom of thought, conscience and religion has been proclaimed in the Universal Declaration of Human Rights,

"Whereas the national efforts of Governments to eliminate discrimination on the ground of religion or belief should be supported by formulating more comprehensive provisions relating to these freedoms and thus to promote their observance,

"Now therefore the following Provisions are proclaimed for the protection of the right to freedom of religion or belief and for preventing discrimination on the ground of religion or belief."

146. In the debate on this proposal, Mr. Krishnaswami made the suggestion, which was accepted by Mr. Abdel-Ghani, that the Preamble should refer to the provisions in both the Charter and in the Universal Declaration of Human Rights relating to the principle of non-discrimination as well as to the right to freedom of thought,

conscience and religion. Mr. Abdel-Ghani also accepted a suggestion of Mr. Halpern that the second paragraph should be revised to refer to an elaboration of the provisions of the Charter and of the Declaration rather than to the formulation of "more comprehensive provisions", and a second suggestion by Mr. Halpern that paragraph 2 should refer not only to the efforts of Governments but also to the efforts of private organizations and persons. Further, he accepted Mr. Ketrzynski's suggestion that the third paragraph should refer to promotion of freedom of thought, conscience and religion rather than to the protection of the right to this freedom. Mr. Abdel-Ghani subsequently submitted a revised text to the Sub-Commission (L.183/Rev.1).

147. Mr. Krishnaswami proposed that an additional paragraph should be added to the revised text, as follows: "Whereas the disregard of human rights and fundamental freedoms, and in particular of the right to freedom of thought, conscience and religion, has brought in the past untold sorrow to mankind...". The proposal was adopted by 12 votes in favour and none against, with 1 abstention.

148. Mr. Saario proposed that the words "organizations and private persons" should be substituted for the words "and private organizations and persons" in the third paragraph of the revised preamble. The proposal was adopted by 12 votes to none, with 1 abstention.

149. Mr. Schaulsohn proposed that the word "supported" be substituted for the word "strengthened" in the third paragraph of the revised preamble. The amendment was adopted by 10 votes to none, with 4 abstentions.

150. Mr. Ketrzynski proposed that the phrase "to promote the freedom of thought, conscience and religion" should be substituted for the phrase "for the protection and furtherance of this right" in the final paragraph of the revised preamble. The proposal was adopted by 7 votes to 1, with 6 abstentions.

151. At the 299th meeting, during the Sub-Commission's examination of rule 16 (see para. 136 of this report) the Special Rapporteur prepared a new preambular paragraph embodying certain ideas which had appeared in his original draft of rule 16 and in the amendment to this rule submitted by Mr. Ketrzynski (L.191), and proposed that it should be inserted after paragraph 3 of the preamble, as follows:

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"Whereas it is therefore the duty of Governments, organizations and private persons to promote through all means, including education, respect for the dignity of man and a spirit of understanding, tolerance and friendship among all religious and so-called racial groups, as well as among all nations."

152. After some discussion of this text, the Special Rapporteur accepted two amendments. The first was to substitute for the words "through all means, including education" the words "through education, as well as through other means". The second was to delete the term "so-called" before the words "racial groups".

153. The Sub-Commission first voted unanimously to reconsider the preamble which it had already adopted. It then unanimously adopted the new paragraph for insertion in the preamble, as revised by the Special Rapporteur. The preamble as a whole, as amended, was adopted unanimously, as follows:

"Whereas the peoples of the United Nations have, in the Charter, reaffirmed their faith in human rights and fundamental freedoms, and have taken a stand against all forms of discrimination, including discrimination on the ground of religion or belief;

"Whereas the principle of non-discrimination and the right to freedom of thought, conscience and religion have been proclaimed in the Universal Declaration of Human Rights;

"Whereas the disregard of human rights and fundamental freedoms and in particular of the right to freedom of thought, conscience and religion has brought in the past untold sorrow to mankind;

"Whereas it is therefore the duty of Governments, organizations and private persons to promote through education, as well as through other means, respect for the dignity of man and a spirit of understanding, tolerance and friendship among all religious and racial groups, as well as among all nations;

"Whereas the efforts of Governments, organizations and private persons to eradicate discrimination in respect of the right to freedom of thought, conscience and religion should be supported by elaborating the provisions relating to these freedoms with a view to ensuring their protection and furtherance;

"Now therefore the following Provisions are proclaimed to promote the freedom of thought, conscience and religion and the eradication of discrimination on the ground of religion or belief."

Consideration of draft resolutions on the study

154. A draft resolution on the study of discrimination in the matter of religious rights and practices was submitted by Messrs. Hiscocks, Juvigny and Schaulsohn (E/CN.4/Sub.2/L.169). An amendment to the first of these draft resolutions was submitted by Messrs. Abdel-Ghani, Makkawi and Mirghani (L.197). In order to meet some of the points contained in the amendment, the co-sponsors redrafted Part A of the joint draft resolution and submitted it to the Sub-Commission (L.198). The sponsors of the amendment agreed that the redrafted text was satisfactory to them in so far as Part A of the joint draft resolution was concerned, and accordingly withdrew their text with the exception of paragraph 7 (b), which they later submitted as an amendment (L.204) to Part B of the joint draft resolution.

155. Messrs. Hiscocks, Juvigny and Schaulsohn revised certain portions of their draft in the light of the discussion, and eliminated paragraph 3 thereof. The text which they then proposed, consisting of the preambular paragraphs of the joint draft resolution followed by their own redraft of Part A, was adopted unanimously.

156. Messrs. Makkawi, Mirghani and Sharaf proposed (L.204), as an amendment to Part B of the joint draft resolution, that the following paragraph should be inserted after the phrase "requests the Commission on Human Rights":

"To forward the provisions annexed to this resolution, together with the Special Rapporteur's report and the summary records of the debate thereon in the Sub-Commission and in the Commission, to the Governments of States Member of the United Nations and of the specialized agencies, requesting their observations on the draft provisions and on the question whether such provisions should be embodied in a resolution of the United Nations or in an international instrument;"

However, in the light of further discussion, this amendment was withdrawn.

157. Discussion in the Sub-Commission with reference to Part B of the joint draft resolution (L.169) related mainly to the second operative paragraph. Several members of the Sub-Commission felt that the paragraph needed to be strengthened, and Mr. Rodriguez Fabregat in particular expressed the view that Governments should be urged to continue and if necessary to accentuate their programmes of education designed to eradicate discrimination based on religion or belief. In the light of the discussion the sponsors of the joint draft resolution revised operative paragraph 2 to take into account the various views which had been expressed. Part B of the joint draft resolution, as revised, was adopted unanimously.

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158. At the 305th meeting the Special Rapporteur submitted to the Sub-Commission his suggestions for re-arrangement of the texts which had been adopted by the Sub-Commission. A suggestion for further re-arrangement was put forward by Mr. Hiscocks, who proposed that paragraph 7 of the second part, relating to dietary practices (see resolution 1 (XII), Annex, Part II, para. 3), should be placed before paragraph 3 (Part II, para. 4). This proposal was adopted unanimously.

159. The Sub-Commission decided unanimously to call the various provisions "Parts". It decided, by 12 votes in favour and none against, with 1 abstention, not to use the word "articles" in referring to the provisions or parts thereof.

160. The Sub-Commission adopted the resolution as a whole, including the Annex thereto, unanimously, as follows:

RESOLUTION 1 (XII)

STUDY OF DISCRIMINATION IN THE MATTER OF RELIGIOUS RIGHTS AND PRACTICES

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling resolution B (E/CN.4/778, para. 111), adopted by the Sub-Commission at its eleventh session, concerning the draft report on discrimination in the matter of religious rights and practices drawn up by the Special Rapporteur, Mr. Arcot Krishnaswami,

Having considered the final report (E/CN.4/Sub.2/200) presented by Mr. Krishnaswami in accordance with the above-mentioned resolution,

A

1. Expresses its deep appreciation to the Special Rapporteur for his devoted work on the study and congratulates him warmly on his final report;
2. Expresses its gratitude to the States Members of the United Nations and of the specialized agencies, to the Commission on the Status of Women and to the non-governmental organizations concerned, for their collaboration;
3. Transmits the Special Rapporteur's report to the Commission on Human Rights, together with the summary records of the discussion at the present session of the Sub-Commission, for its consideration;

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4. Transmits also to the Commission the draft Principles annexed to this resolution, in the belief that the adoption by the United Nations of recommendations to its Members, based upon these Principles, would be a fitting culmination to the study;

5. Decides to retain the subject of discrimination in the matter of religious rights and practices as an item on its agenda, in order that it may keep in touch with the efforts made to eradicate such discrimination.

B

Requests the Commission on Human Rights to ask the Economic and Social Council to adopt the following draft resolution:

The Economic and Social Council,

Believing that the most effective way of combating discrimination in the matter of religious rights and practices is through sustained educational efforts on an international scale,

Considering that the Commission on Human Rights' tri-annual reporting procedure provides a suitable framework within which Governments can report progress in combating such discrimination,

1. Requests the Secretary-General:

(a) To print and give wide circulation to the study on discrimination in the matter of religious rights and practices prepared by Mr. Arcot Krishnaswami, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(b) To arrange for the preparation by a suitably qualified writer of a brief popular summary of the study, so that the summary may be published and used widely throughout the world, particularly in universities, schools and other educational institutions, to combat such discrimination;

2. Urges Governments Members of the United Nations and of the specialized agencies:

(a) To take into consideration the information and conclusions contained in the study, and to be guided by the Principles drawn up by the Sub-Commission in this connexion, after their final approval;

(b) To continue, and if necessary, to accentuate their educational efforts designed to eliminate all discrimination based on religion or belief;

3. Requests the General Assembly to take account of these Principles, so far as may seem appropriate, when it comes to draft article 18 of the Covenant on Civil and Political Rights.

ANNEX

PREAMBLE

Whereas the peoples of the United Nations have, in the Charter, reaffirmed their faith in human rights and fundamental freedoms, and have taken a stand against all forms of discrimination, including discrimination on the ground of religion or belief;

Whereas the principle of non-discrimination and the right to freedom of thought, conscience and religion have been proclaimed in the Universal Declaration of Human Rights;

Whereas the disregard of human rights and fundamental freedoms and in particular of the right to freedom of thought, conscience and religion has brought in the past untold sorrow to mankind;

Whereas it is therefore the duty of Governments, organizations and private persons to promote through education, as well as through other means, respect for the dignity of man and a spirit of understanding, tolerance and friendship among all religious and racial groups, as well as among all nations;

Whereas the efforts of Governments, organizations and private persons to eradicate discrimination in respect of the right to freedom of thought, conscience and religion should be supported by elaborating the provisions relating to these freedoms with a view to ensuring their protection and furtherance;

Now therefore the following provisions are proclaimed to promote the freedom of thought, conscience and religion and the eradication of discrimination on the ground of religion or belief.

PART I

1. Everyone shall be free to adhere, or not to adhere, to a religion or belief, in accordance with the dictates of his conscience.
2. Parents or, when applicable, legal guardians, shall have the prior right to decide upon the religion or belief in which their child should be brought up. In the case of a child who has been deprived of its parents, their expressed or presumed wish shall be duly taken into account, the best interests of the child being the guiding principle.

3. No one shall be subjected to material or moral coercion likely to impair his freedom to maintain or to change his religion or belief.
4. Anyone professing any religious or non-religious belief shall be free to do so openly without suffering any discrimination on account of his religion or belief.

PART II

Everyone shall be free to comply with what is prescribed or authorized by his religion or belief, and free from performing acts incompatible with the prescriptions of his religion or belief, particularly in the following respects, subject to the interests of society as a whole as provided in Parts III and IV:

1. (a) Everyone shall be free to worship, either alone or in community with others, and in public or in private.
(b) Equal protection shall be accorded to all forms of worship, places of worship, and objects necessary for the performance of rites.
2. Everyone shall have the freedom, as acts of devotion, to journey to sacred places, whether inside or outside his country.
3. No one shall be prevented from observing the dietary practices prescribed by his religion or belief.
4. (a) The members of a religion or belief shall not be prevented from acquiring or producing all materials and objects necessary for the performance or observance of prescribed rituals or practices, including dietary practices.
(b) Where the Government controls the means of production and distribution, it shall make such materials or objects, or the means of producing them, available to the members of the religion or belief concerned.
5. (a) Without prejudice to the right of the State to lay down the conditions of a valid marriage, no one shall be prevented from having marriage rites performed in accordance with the prescriptions of his religion or belief.
(b) No one shall be compelled to undergo a religious marriage ceremony not in conformity with his convictions.
(c) The right to seek and to obtain a dissolution of marriage shall be determined solely in accordance with the provisions of the law applicable to it without any adverse distinction being based upon the religion or belief of the parties.

6. (a) The prescriptions of the religion or belief of a deceased person shall be followed in all matters affecting burial, cremation or other methods of disposal of the dead, particularly in the assignment of places for such disposal, the display in such places of religious or other symbols, and the performance of funeral or commemorative rites.
(b) Equal protection against desecration shall be afforded to all places for burial, cremation or other methods of disposal of the dead, as well as to religious or other symbols displayed in these places; and equal protection against interference by outsiders shall be afforded to the funeral or commemorative rites of all religions and beliefs.
7. Due account shall be taken of the prescriptions of each religion or belief relating to holidays or days of rest.
8. (a) Everyone shall be free to teach or to disseminate his religion or belief, either in public or in private.
(b) No one shall be compelled to receive religious or atheistic instruction, contrary to his convictions or, in the case of children, contrary to the wishes of their parents and, when applicable, legal guardians.
9. (a) No group professing a religion or belief shall be prevented from training the personnel intending to devote themselves to the performance of its practices or observances, or from bringing teachers from abroad necessary for this purpose.
(b) When such training is available only outside the country, no permanent limitations shall be placed upon travel abroad for the purpose of undergoing such training.
10. No one shall be compelled to take an oath of a religious nature contrary to his convictions.
11. In countries where conscientious objection to military service is recognized, exemptions shall be granted to genuine objectors in a manner ensuring that no adverse distinction based upon religion or belief may result.
12. In countries where exemptions from participation in certain or all public ceremonies are granted to individuals who object to such participation on the ground that it is contrary to their conscience, such exemptions shall be granted in such a manner that no adverse distinction based upon religion or belief may result.

13. No priest or minister of religion who receives information in confidence in the performance of his duties as prescribed by his religion or belief, shall be compelled to divulge such information.

PART III

1. The freedoms set out in Part I and in paragraphs 10 and 13 of Part II shall not be subject to any restrictions.
2. (a) The freedoms and rights set out in the other paragraphs of Part II shall be subject only to the limitations prescribed by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, health, public order and the general welfare in a democratic society. Any limitations which may be imposed shall be consistent with the purposes and principles of the United Nations.
(b) These freedoms and rights may in no case be exercised contrary to the purposes and principles of the United Nations.

PART IV

Public authorities shall refrain from making any adverse distinctions against, or giving undue preference to, individuals or groups of individuals with respect to the right to freedom of thought, conscience and religion; and shall endeavour to prevent any individual or group of individuals from doing so. In particular:

1. In the event of a conflict between the demands of two or more religions or beliefs, public authorities shall endeavour to find a solution reconciling these demands in a manner such as to ensure the greatest measure of freedom to society as a whole;
2. In the granting of subsidies or exemptions from taxation, no adverse distinctions shall be made between, and no undue preference shall be given to, any religion or belief or its followers. However, public authorities shall not be precluded from levying general taxes or from carrying out obligations assumed as a result of arrangements made to compensate a religious organization for property taken over by the State or from contributing funds for the preservation of religious structure recognized as monuments of historic or artistic value.

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Consideration of draft resolution on review and revision of the report

161. At the 303rd meeting Mr. Halpern submitted a proposal relating to the report on discrimination in the matter of religious rights and practices (E/CN.4/Sub.2/L.203) by which the Secretary-General would be requested "to make arrangements for the Special Rapporteur for the study of discrimination in the matter of religious rights and practices to attend the sixteenth session of the Commission on Human Rights, opening in Geneva on 29 February, and at a later date to return to Headquarters to complete the final editing of his report". While all members heartily supported the proposal that the Special Rapporteur should attend the sixteenth session of the Commission on Human Rights, several indicated that they were not convinced that the Special Rapporteur's return to Headquarters to complete the final editing of his report was essential, particularly since the Special Rapporteur himself had stated that he was not in a position to make any major changes in the report. However, others maintained that some revisions were essential and that the Special Rapporteur should be given the opportunity to return to Headquarters to make such revisions as he thought desirable prior to the publication of the report.

162. The draft resolution, when put to the vote, was adopted unanimously, as follows:

RESOLUTION 2 (XII)*

REVIEW AND REVISION OF THE REPORT ON DISCRIMINATION IN THE MATTER
OF RELIGIOUS RIGHTS AND PRACTICES

The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Believing that it is highly desirable that the Special Rapporteur be present in the Commission on Human Rights when the report on discrimination in the matter of religious rights and practices is considered, and

Believing also that the Special Rapporteur should have an opportunity to review and revise his report prior to publication, in the light of comments and suggestions in the Sub-Commission and in the Commission on Human Rights,

* The financial implications of this resolution are set forth in an addendum to this report (E/CN.4/800/Add.1).

Requests the Secretary-General to make arrangements for the Special Rapporteur for the study of discrimination in the matter of religious rights and practices to attend the sixteenth session of the Commission on Human Rights, opening in Geneva 29 February 1960, and at a later date to return to Headquarters to complete the final editing of his report.

Consideration of draft resolution on condemnation of manifestations of anti-Semitism and other religious and so-called racial prejudices, and recommendations with respect to them

163. At the 303rd, 304th and 305th meetings the Sub-Commission considered a draft resolution, submitted jointly by Messrs. Halpern, Hiscocks, Juvigny, Matsch, Rodriguez Fabregat and Saario, on condemnation of manifestations of anti-Semitism and other religious and so-called racial prejudices, and recommendations with respect to them (E/CN.4/Sub.2/L.159).

164. In the course of its deliberations, the Sub-Commission received communications from the Acting Permanent Representative of Israel to the United Nations (E/CN.4/Sub.2/202), the Ambassador of the Federal Republic of Germany (E/CN.4/Sub.2/204), and a letter sent by the "President of the National Council of the National Front of Democratic Germany", circulated by the Secretary-General at the request of the Permanent Mission of the Polish People's Republic to the United Nations (E/CN.4/Sub.2/205).

165. The Sub-Commission also received written statements submitted by the International League for the Rights of Man (E/CN.4/Sub.2/NGO/12), and by the International Federation of University Women (E/CN.4/Sub.2/NGO/17).

166. The joint draft resolution submitted by Messrs. Halpern, Hiscocks, Juvigny, Matsch, Rodriguez Fabregat and Saario read as follows:

A

"The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

"Deeply concerned by the manifestations of anti-Semitism and other religious and so-called racial prejudices, which have recently occurred in various countries, reminiscent of outrages committed prior to and during the Second World War,

/...

"Believing that it is the responsibility of the international community to speak out against these manifestations to ascertain the underlying facts and causes and to recommend the most effective measures which can be taken against them,

"1. Condemns these manifestations as violations of the principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights;

"2. Decides to consider the subject at its next session, in the light of the materials received under the resolution recommended in Part B hereto.

B

"The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

"Requests the Commission on Human Rights to adopt the following resolution:

"The Commission on Human Rights,

"Noting the manifestations of anti-Semitism and other religious and so-called racial prejudices in various countries and the recommendations on the subject by the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

"1. Condemns these manifestations as violations of the human rights of the group against which they are directed and as a threat to the human rights and fundamental freedoms of all peoples;

"2. Urges all States Members of the United Nations and of the specialized agencies to take all appropriate action to prevent and punish such acts, including the adoption of additional laws, if necessary, and the vigorous enforcement of existing laws;

"3. Calls upon public authorities and private organizations to initiate or intensify programmes of education designed to eradicate the prejudice underlying these manifestations;

"4. Requests the Secretary-General to obtain from States Members of the United Nations and of the specialized agencies, at the earliest possible time, information and comments on the following subjects:

"(1) manifestations of anti-Semitism and other religious and so-called racial prejudices which have occurred within their borders;

"(2) spontaneous public reaction to these manifestations and the action taken with respect thereto by private organizations;

"(3) measures which have been taken by the public authorities to prevent such manifestations and to punish the perpetrators thereof and any further measures they may contemplate;

"(4) their views as to the deep-lying causes and motivations of such manifestations;

"5. Requests the Secretary-General to obtain from non-governmental organizations in consultative status and from the United Nations Educational, Scientific and Cultural Organization any information and suggestions which they may have on these topics;

"6. Invites the members of the Sub-Commission, in their individual capacity as experts, to transmit to the Secretary-General their observations and any information which they may have on the above topics;

"7. Requests the Secretary-General to transmit all the above information and comments immediately on its receipt to the members of the Sub-Commission;

"8. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its next session to evaluate the materials received in response to the above requests, to draw such conclusions therefrom as seem to be justified, and to recommend such action as seems to be desirable and to report thereon to the Commission on Human Rights."

167. Amendments to the joint draft resolution were submitted by Mrs. Mironova (E/CN.4/Sub.2/L.196), Mr. Krishnaswami (L.199) and Mr. Schaulsohn (L.208).

168. In the first preambular paragraph of draft resolution A, Mrs. Mironova proposed to insert, before the words "by the manifestations", the words "by the intensification of propaganda of racial and national hatred and contempt, and^{1/} by other manifestations of national, racial and religious animosity, and in particular". In the same paragraph she proposed to delete the words "and other religious and so-called racial prejudices"; and to replace the last part of the paragraph, beginning with the words "outrages committed" by the following: "the crimes committed by the Nazis prior to and during the Second World War and sternly condemned on behalf of the United Nations by the Nürnberg International Tribunal". In the same paragraph, Mr. Krishnaswami proposed to replace the expression "anti-Semitism" by "anti-Jewish". However, he later withdrew this amendment.

169. In the second preambular paragraph of draft resolution A, Mrs. Mironova proposed to replace the words "it is the responsibility of the international community" by the words "it is the responsibility of the United Nations and world public opinion as a whole".

170. Mr. Schaulsohn proposed the addition of a third preambular paragraph reading as follows: "Expressing its satisfaction that some peoples, through their Governments and private organizations, have reacted spontaneously in the manner described".

171. In the first preambular paragraph of draft resolution B, Mrs. Mironova proposed to insert the words "the intensification of propaganda of racial and national hatred and contempt and^{1/} other manifestations of national, racial and religious animosity, and in particular". In the same paragraph she proposed to replace the words "and other religious and so-called racial prejudices in various countries" by the words "which have recently occurred in various countries and which are reminiscent of the crimes committed by the Nazis prior to and during the Second World War and were severely condemned on behalf of the United Nations by the Nürnberg International Tribunal". She further proposed that the last half of the first preambular paragraph should form a separate preambular paragraph reading as

^{1/} In translating the original Russian text into English, the Russian expression a takzhe (literally "as well as") was rendered as "and".

follows: "Taking into account the recommendations on the subject by the Sub-Commission on Prevention of Discrimination and Protection of Minorities".

Mr. Schaulsohn proposed the addition of a third preambular paragraph reading as follows: "Expressing its satisfaction that some peoples, through their Governments and private organizations, have reacted spontaneously in the manner described".

172. Mr. Krishnaswami proposed to replace the expression "anti-Semitism" by "anti-Jewish" as he had in the case of draft resolution A; but later he withdrew this proposal.

173. Mrs. Mironova proposed to replace the words "as violations of the human rights of the group against which" in operative paragraph 1 of draft resolution B by the following: "as a violation of the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights, as a violation of the rights of the human groups against which".

174. Mr. Krishnaswami proposed to insert in operative paragraph 2 the word "immediately" after the words "to take".

175. Mr. Krishnaswami further proposed to insert, between operative paragraphs 2 and 3 of draft resolution B, the following paragraph: "Appeals to all States Members of the United Nations and of the specialized agencies to develop educational policies and to encourage all measures designed to improve, among all pupils in all schools, understanding of the need for harmony among various religious and racial groups".

176. In operative paragraph 3 of draft resolution B, Mrs. Mironova proposed to replace the words "public authorities" by the words "State authorities"; and the words "the prejudice underlying these manifestations" by the words "the racist views and^{1/} the prejudices underlying these manifestations". In sub-paragraph 1 of operative paragraph 4, she proposed to replace the words "other religious and so-called racial prejudices" by the words "other forms of national and racial hatred and contempt, and^{1/} of racial and religious prejudice".

177. Mr. Krishnaswami proposed to delete operative paragraph 6 of draft resolution B, and suggested a consequential amendment of paragraph 7 to read: "Requests the Secretary-General to transmit all the above information and comments,

^{1/} In translating the original Russian text into English, the Russian expression a takzhe (literally "as well as") was rendered as "and".

including such observations as the members of the Sub-Commission themselves may send to him in their individual capacity as experts, immediately on its receipt, to the members of the Sub-Commission".

178. There was some discussion in the Sub-Commission as to whether the proposal could properly be dealt with under item 5 of the agenda, which referred only to the study of discrimination in the matter of religious rights and practices. Some members felt that the proposal should have been considered under item 7, "Measures to be taken for the cessation of any advocacy of national, racial, or religious hostility that constitutes an incitement to hatred and violence, jointly or separately." It was agreed that the discussion could not be limited strictly to matters relating to discrimination in the matter of religious rights, and that both the discussion and the terms of the resolution might, if necessary, go somewhat beyond this item.

179. In the course of the general debate on this subject, all members of the Sub-Commission agreed that it is necessary to take measures against manifestations of anti-Semitism. Insisting on the most decisive condemnation of these acts, Mrs. Mironova in particular pointed out that they gave evidence of the revival of fascism and were reminiscent of the crimes committed by the Nazis prior to and during World War II and sternly condemned, on behalf of the United Nations, by the Nürnberg International Tribunal. While criticizing the joint draft resolution, she stressed that the spreading of anti-Semitism could not be explained only by the existence of prejudice, and qualified these acts as a campaign of incitement to national and racist hostility and hatred by organized groups of fascist elements.

180. Some members of the Sub-Commission questioned particular phrases which appeared in the joint draft resolution. Mr. Ingles, in particular, expressed the view that it might be considered premature for the Sub-Commission itself to condemn recent manifestations of anti-Semitism or to spell out in detail what legislative and educational measures should be undertaken by governments to prevent the recurrence of such acts, before having examined information on this subject which would only be available after some months. It was also suggested that the Sub-Commission might indicate, in the draft resolution, what it intended to do with the voluminous data on this subject which would be available to it at

its next session. The question was raised whether the Sub-Commission should not envisage, after receiving the information, the formulation of recommendations for the eradication of such manifestations. If this were the case, some of the recommendations which the joint proposal called upon the Sub-Commission to make to the Commission on Human Rights were also in a sense somewhat premature. Finally, it was suggested that the request to States to prevent the recurrence of manifestations of anti-Semitism should be worded in such a way that it would be directed only to those States where such acts had occurred.

181. Mr. Ketrzynski considered the draft resolution too weak and too general in its terms. He felt that the Sub-Commission's resolution should state (a) that the acts which had occurred during World War II had been defined as crimes, (b) that these crimes had been committed by the Nazis, and (c) that this condemned activity had been defined not only as an expression of anti-Semitism but also as an expression of hatred against racial, religious and national groups. He considered that a renaissance of tendencies resembling the Nazi ideology, among both the older and the younger generations in the country where the anti-Semitic manifestations had begun, was the source of these manifestations.

182. In reply to certain of these objections, the sponsors agreed that the Sub-Commission should avoid any element of prejudgement. However, they felt that no prejudgement was involved in condemning the manifestations of anti-Semitism as such, which were already known to the Sub-Commission, regardless of their underlying causes. They agreed that the underlying causes should not be prejudged. The Sub-Commission should indeed make every effort to discover the ultimate causes underlying these manifestations, and in particular to learn whether they stemmed from the actions of political groups seeking to gain power within the countries in which the manifestations had occurred, whether they had been initiated by political forces outside these countries which sought to discredit the Governments of those countries, or whether they had been either the planned or sporadic acts of prejudiced persons. It was pointed out by Mr. Halpern that the task of the Sub-Commission in this respect would be less difficult if it were found that a single sinister group was behind most of the manifestations, because in that case the appropriate authorities could proceed against such a group.

183. Speaking for the co-sponsors, Mr. Halpern explained that he had taken into account Mrs. Mironova's proposed amendments and had offered to accept many of them, but that it had not been possible to agree upon a complete text. In particular, he pointed out that the use of the word "national" in describing the nature of the prejudice was improper, at least in the English text, because the word "national" in English meant "pertaining to a sovereign government". He also expressed the view that the proposed reference to the Nürnberg International Tribunal was wholly incorrect.

184. In the light of the discussion of the joint proposal and amendments, the sponsors submitted to the Sub-Commission a revised working paper incorporating the amendments which they had found to be acceptable (E/CN.4/Sub.2/L.159/Rev.1), as follows:

A

"The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

"Deeply concerned by the manifestations of anti-Semitism and religious and racial prejudices of a similar nature, which have occurred in various countries, reminiscent of the outrages committed by the Nazis prior to and during the Second World War,

"Believing that it is the responsibility of the United Nations, representing the international community, to speak out against these manifestations, to ascertain the underlying facts and causes and to recommend the most effective measures which can be taken against them,

"Expressing its gratification that Governments, peoples and private organizations have spontaneously reacted in opposition to these manifestations,

"1. Condemns these manifestations as violations of principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights;

"2. Decides to consider the subject at its next session, in the light of the materials received under the resolution recommended in Part B hereto.

B

"The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

"Requests the Commission on Human Rights to adopt the following resolution:

"The Commission on Human Rights,

"Noting the manifestations of anti-Semitism and religious and racial prejudices of a similar nature, which have occurred in various countries, reminiscent of the outrages committed by the Nazis prior to and during the Second World War,

"Expressing its gratification that Governments, peoples and private organizations have spontaneously reacted in opposition to these manifestations,

"Taking into account the recommendations on the subject by the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

"1. Condemns these manifestations as violations of principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights, as a violation of the human rights of the groups against which they are directed and as a threat to the human rights and fundamental freedoms of all peoples;

"2. Urges States Members of the United Nations and of the specialized agencies, wherever the problem exists, to take all appropriate action to prevent and punish such acts, including the adoption of additional laws, if necessary, and the vigorous enforcement of existing laws;

"3. Calls upon public authorities and private organizations to initiate or intensify programmes of education designed to eradicate the prejudice reflected in these manifestations;

/...

"4. Requests the Secretary-General to obtain from States Members of the United Nations and of the specialized agencies, at the earliest possible time, information and comments on the following subjects:

"(1) manifestations of anti-Semitism and religious and racial prejudices of a similar nature which have occurred within their borders;

"(2) spontaneous public reaction to these manifestations and the action taken with respect thereto by private organizations;

"(3) measures which have been taken by the public authorities to prevent such manifestations and to punish the perpetrators thereof and any further measures they may contemplate;

"(4) their views as to the deep-lying causes and motivations of such manifestations;

"5. Requests the Secretary-General to obtain from the United Nations Educational, Scientific and Cultural Organization and from non-governmental organizations in consultative status any information and suggestions which they may have on these topics;

"6. Invites the members of the Sub-Commission, in their individual capacity as experts, to transmit to the Secretary-General any observations and information which they may have on the above topics;

"7. Requests the Secretary-General to transmit all the above information and comments from time to time, as received, to the members of the Sub-Commission;

"8. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its next session to evaluate the materials received in response to the above requests, to draw such conclusions therefrom as seem to be justified, and to recommend such action as seems to be desirable and to report thereon to the Commission on Human Rights."

185. Mrs. Mironova proposed to add the words "other forms of racial and national hatred and"^{1/} before the words "religious and racial prejudices" in the first

^{1/} In translating the original Russian text into English, the Russian expression a takzhe (literally "as well as") was rendered as "and".

preambular paragraph of draft resolution A. The amendment was adopted by 9 votes to 3, with 1 abstention.

186. Mrs. Mironova proposed the addition to the end of the first preambular paragraph of the words "and condemned by the International Tribunal at Nürnberg". The amendment was rejected by 4 votes to 3, with 6 abstentions. The first preambular paragraph of draft resolution A, as amended, was adopted unanimously.

187. It was decided without vote that the first preambular paragraph of draft resolution B should be revised to coincide with the text adopted for the first preambular paragraph of draft resolution A.

188. Mr. Saario proposed the deletion of the words "including the adoption of additional laws, if necessary, and the vigorous enforcement of existing laws" at the end of operative paragraph 2 of draft resolution B. The Sub-Commission decided to retain these words by 7 votes to 4, with 2 abstentions. Paragraph 2 was adopted by 12 votes to none, with 1 abstention.

189. Mrs. Mironova proposed to substitute the words "the Governments or the States" for the words "public authorities", in the third operative paragraph of draft resolution B. The proposal was rejected by 5 votes to 4, with 4 abstentions.

190. A separate vote was taken on the retention of the words "and private organizations" in operative paragraph 3. The words were retained by 7 votes to 4, with 2 abstentions.

191. Mrs. Mironova proposed to add the words "the racist views and"^{1/} before the words "prejudice reflected" in operative paragraph 3. Her proposal was adopted by 11 votes to none, with 2 abstentions. Paragraph 3 as a whole, as amended, was adopted unanimously.

192. Mrs. Mironova proposed the addition of the words "and other forms of national and racial hatred and"^{1/} before the words "religious and racial prejudices" in the first sub-paragraph of operative paragraph 4. The proposal was adopted by 9 votes to 2, with 1 abstention. The sub-paragraph, as amended, was adopted unanimously.

193. A proposal to delete operative paragraph 6 of draft resolution B, sponsored by Mr. Krishnaswami, was adopted by 8 votes to 5, with no abstentions.

^{1/} In translating the original Russian text into English, the Russian expression a takzhe (literally "as well as") was rendered as "and".

194. The proposal which Mr. Krishnaswami had made, and subsequently withdrawn, to amend operative paragraph 7 of draft resolution B, was sponsored by Mr. Halpern. The amendment was adopted by 5 votes to 4, with 3 abstentions. Paragraph 7, as amended, was adopted by 9 votes to 2, with 1 abstention. The draft resolution as a whole, as amended, was adopted unanimously, as follows:

RESOLUTION 3 (XII)

MANIFESTATIONS OF ANTI-SEMITISM AND OTHER FORMS OF RACIAL AND NATIONAL
HATRED AND RELIGIOUS AND RACIAL PREJUDICES OF A SIMILAR NATURE

A

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Deeply concerned by the manifestations of anti-Semitism and other forms of racial and national hatred and religious and racial prejudices of a similar nature, which have occurred in various countries, reminiscent of the crimes and outrages committed by the Nazis prior to and during the Second World War,

Believing that it is the responsibility of the United Nations, representing the international community, to speak out against these manifestations, to ascertain the underlying facts and causes, and to recommend the most effective measures which can be taken against them,

Expressing its gratification that Governments, peoples and private organizations have spontaneously reacted in opposition to these manifestations,

1. Condemns these manifestations as violations of principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights;
2. Decides to consider the subject at its next session, in the light of the materials received under the resolution recommended in Part B hereto.

B

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Requests the Commission on Human Rights to adopt the following resolution:

The Commission on Human Rights,

Noting the manifestations of anti-Semitism and other forms of racial and national hatred and religious and racial prejudices of a similar nature, which have occurred in various countries, reminiscent of the crimes and outrages committed by the Nazis prior to and during the Second World War,
/...

Expressing its gratification that Governments, peoples and private organizations have spontaneously reacted in opposition to these manifestations,

Taking into account the recommendations on the subject by the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

1. Condemns these manifestations as violations of principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights, as a violation of the human rights of the groups against which they are directed, and as a threat to the human rights and fundamental freedoms of all peoples;

2. Urges States Members of the United Nations and of the specialized agencies, wherever the problem exists, to take all appropriate action to prevent and punish such acts, including the adoption of additional laws, if necessary, and the vigorous enforcement of existing laws;

3. Calls upon public authorities and private organizations to initiate or intensify programmes of education designed to eradicate the racist views and the prejudice reflected in these manifestations;

4. Requests the Secretary-General to obtain from States Members of the United Nations and of the specialized agencies, at the earliest possible time, information and comments on the following subjects:

(1) manifestations of anti-Semitism and other forms of racial and national hatred and religious and racial prejudices of a similar nature which have occurred within their borders;

(2) spontaneous public reaction to these manifestations and the action taken with respect thereto by private organizations;

(3) measures which have been taken by the public authorities to prevent such manifestations and to punish the perpetrators thereof and any further measures they may contemplate;

(4) their views as to the deep-lying causes and motivations of such manifestations;

5. Requests the Secretary-General to obtain from the United Nations Educational, Scientific and Cultural Organization and from non-governmental organizations in consultative status any information and suggestions which they may have on these topics;

/...

6. Requests the Secretary-General to transmit all the above information and comments, including such observations as the members of the Sub-Commission may send to him in their individual capacity as experts, from time to time, as received, to the members of the Sub-Commission;

7. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its next session, to evaluate the materials received in response to the above requests, to draw such conclusions therefrom as seem to be justified, to recommend such action as seems to be desirable, and to report thereon to the Commission on Human Rights.

VI. STUDY OF DISCRIMINATION IN THE MATTER OF POLITICAL RIGHTS

Item 6 of the agenda

Introduction

195. At the 306th meeting the Sub-Commission considered item 6 of its agenda, entitled "Study of Discrimination in the Matter of Political Rights". The Sub-Commission had before it a memorandum (E/CN.4/Sub.2/L.158), submitted by its Special Rapporteur, Mr. Hernan Santa Cruz. The memorandum traced the history of the study from the time the Sub-Commission had first appointed Mr. Santa Cruz to prepare a preliminary report on discrimination in the matter of political rights, in January 1954. It pointed out that the study, which the Sub-Commission had expected to be completed within a maximum of three years, had been continuing for six years, and that even under the best circumstances it would not be completed until January 1962.

196. The Special Rapporteur recalled that when he had been appointed he had made it clear that he did not think it would be possible for him to undertake, for an indefinite period of time, the task assigned to him. Other members of the Sub-Commission had since acknowledged the fact that it was not reasonable to expect a Special Rapporteur "to burden himself with that exacting task for more than seven years". In view of these circumstances, and above all because of his duties as Regional Representative of FAO in Latin America, which he had been assuming since 1 January 1959, he felt compelled to give up his mandate as Special Rapporteur, and to ask the Sub-Commission to select a replacement.

197. At the same time, in a desire to contribute as much as possible towards the success of the Sub-Commission's study, the Special Rapporteur had submitted to the Sub-Commission certain ideas, outlines, and comments which he had prepared with the understanding that it was not his intention, under any circumstances, to influence the future direction of the study but only to make a contribution to it. The materials submitted by the Special Rapporteur consisted of a chapter entitled, "Political Rights as Human Rights", and a chapter explaining his ideas relating to discrimination in the matter of political rights. This material was based upon

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proposals which he had submitted to the Sub-Commission in earlier reports, with such revisions as had been found necessary in order to take into account the observations made by members of the Sub-Commission when those reports had been examined.

198. The Sub-Commission also had before it a memorandum (E/CN.4/Sub.2/NGO/16) submitted by the International League for the Rights of Man, a non-governmental organization in consultative status, relating to the assistance which non-governmental organizations could give to the Special Rapporteur in the completion of his study.

General views of the Sub-Commission on the memorandum of the Special Rapporteur

199. Because of the short time at the disposal of the Sub-Commission for the consideration of the item, it was not possible for it to examine the Special Rapporteur's memorandum in detail. All members of the Sub-Commission who commented upon it, however, expressed their deep appreciation to Mr. Santa Cruz for the excellent work which he had done, particularly in analysing the concept of discrimination in the matter of political rights and in drawing up a framework for a complete study of the subject. It was pointed out by several members that although the completion of the study had been delayed, this delay was not in any way attributable to the Special Rapporteur.

200. Several members of the Sub-Commission, and in particular Messrs. Hiscocks, Ingles, Juvigny, Krishnaswami, Matsch, Rodriguez Fabregat, and Saario, expressed the view that the Special Rapporteur's memorandum provided a good basis for further work, and voiced the earnest hope that Mr. Santa Cruz might be prevailed upon to reconsider his decision and to continue as Special Rapporteur; otherwise his wide experience and valuable work on the subject would be wasted. While in agreement with this point of view, Mrs. Mironova at the same time criticized some aspects of the Special Rapporteur's report. It was pointed out that if Mr. Santa Cruz were to proceed with his work, it would still be possible for the Sub-Commission to examine a draft report on discrimination in the matter of political rights at its thirteenth session and a final report at its fourteenth session.

201. The Representative of the Commission on the Status of Women drew the Sub-Commission's attention to the discrimination against women as regards access

to public service; she pointed out that in many countries married women were denied such access, that there was a general reluctance to promote women to senior administrative positions, and that women were at a disadvantage in respect of pay, retirement age, and pensions. She urged the Sub-Commission to bear these points in mind when making its study.

Consideration of draft resolution

202. The Sub-Commission examined a draft resolution on the study of discrimination in the matter of political rights submitted by Mr. Saario (E/CN.4/Sub.2/L.205), by which it would express its deep appreciation to the Special Rapporteur; urge him, in view of his personal qualifications and mastery of the subject after many years of profound work devoted to it, to reconsider his decision of giving up his mandate; and request Governments, the Secretary-General, specialized agencies and non-governmental organizations to provide him with the necessary assistance.

203. The draft resolution was adopted unanimously. The Secretary-General was requested to transmit it to Mr. Santa Cruz, and Mr. Schaulsohn was asked to bring to Mr. Santa Cruz's attention the views which had been expressed in the course of the debate, and to urge him personally to reconsider his decision. The resolution, as adopted, read as follows:

RESOLUTION 4 (XII)

STUDY OF DISCRIMINATION IN THE MATTER OF POLITICAL RIGHTS

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling resolution C (E/CN.4/778, paragraph 134), adopted by the Sub-Commission at its eleventh session, concerning the progress report on the study of discrimination in the matter of political rights prepared by the Special Rapporteur, Mr. Hernan Santa Cruz,

Having considered the memorandum (E/CN.4/Sub.2/L.158) submitted by Mr. Santa Cruz,

1. Expresses its deep appreciation to the Special Rapporteur for his excellent work hitherto in analysing the concept of discrimination in the matter of political rights and drawing up the framework for a complete study of this subject;

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2. Urges Mr. Santa Cruz, in view of his personal qualifications and mastery of the subject after many years of profound work devoted to it, to reconsider his decision of giving up his mandate as Special Rapporteur, and to continue his work on the study until it is completed;

3. Requests the Secretary-General to provide the necessary aid and assistance to enable the Special Rapporteur to submit a draft report to the Sub-Commission at its thirteenth session, and a final report at its fourteenth session;

4. Expresses the hope that those Governments, specialized agencies and non-governmental organizations which have not yet done so will submit their comments and material pertinent to the subject to the Special Rapporteur as soon as possible.

VII. MEASURES TO BE TAKEN FOR THE CESSATION OF ANY ADVOCACY OF NATIONAL RACIAL, OR RELIGIOUS HOSTILITY THAT CONSTITUTES AN INCITEMENT TO HATRED AND VIOLENCE, JOINTLY OR SEPARATELY

Item 7 of the agenda

204. At the 306th meeting the Sub-Commission considered item 7 of its agenda, entitled "Measures to be taken for the cessation of any advocacy of national, racial, or religious hostility that constitutes an incitement to hatred and violence, jointly or separately ". Some aspects of this question had already been dealt with in connexion with item 5 of the agenda (see paras. 178-184 of this report).

205. The Sub-Commission considered a draft resolution submitted by Mrs. Mironova (E/CN.4/Sub.2/L.211). However, the draft resolution was not put to the vote in view of the discussion which took place in the Sub-Commission.

206. Mrs. Mironova recalled that for several years the Sub-Commission had decided to retain on its agenda the item, "Measures to be taken for the cessation of any advocacy of national, racial or religious hostility that constitutes an incitement to hatred and violence, jointly or separately". This year it had dealt with certain aspects of the matter and had adopted a resolution on manifestations of anti-Semitism and other forms of racial and national hatred, and religious and racial prejudices of a similar nature. However, in her view, there were many other aspects that called for further study, and the Sub-Commission was the logical body to undertake the task. The problem, she assured the Sub-Commission, was fully as important as any other question which the Sub-Commission had dealt with.

207. Accordingly, Mrs. Mironova proposed (E/CN.4/Sub.2/L.211) that the Sub-Commission should decide to express its concern over the increase in the advocacy of national, racial and religious hostility that constitutes an incitement to hatred and violence, and that it should decide to proceed with the study of this question and to appoint a Special Rapporteur for this purpose at its next session.

208. Mr. Ketrzynski and Mr. Rodriguez Fabregat supported Mrs. Mironova's proposal that the Sub-Commission should decide to proceed with the study of this question. Mr. Ketrzynski furthermore supported the proposal that the Sub-Commission should appoint a Special Rapporteur for this purpose at its next session, the view of some members being that it would be premature for the Sub-Commission to take such a step at its twelfth session. Mr. Hiscocks pointed out that the matter was highly controversial and that the main controversy centred round the question as to whether the subject was a fit one for consideration by the Sub-Commission at all. He would not oppose the retention of the subject on the agenda solely because there had been no time to discuss the problem at the twelfth session.

209. The Chairman suggested, as a compromise formula, that the Sub-Commission might decide to include the item on the agenda of its thirteenth session with some kind of priority, and agree to examine at that session two questions: first, the advisability of a study along the lines proposed by Mrs. Mironova, and secondly, the advisability of appointing a Special Rapporteur to carry out such a study. Mr. Hiscocks stated that he could accept the Chairman's suggestion on the understanding that the word "priority" did not mean that the Sub-Commission would take up the study of this subject before dealing with the studies which it had already initiated.

210. As the Chairman's formula met with general agreement in the Sub-Commission, it was considered to be adopted and there was no need therefore to put Mrs. Mironova's draft resolution to a vote.

VIII. STUDY OF DISCRIMINATION IN THE MATTER OF THE RIGHT OF EVERYONE
TO LEAVE ANY COUNTRY, INCLUDING HIS OWN, AND TO RETURN TO HIS
COUNTRY, AS PROVIDED IN ARTICLE 13, PARAGRAPH 2, OF THE
UNIVERSAL DECLARATION OF HUMAN RIGHTS

Item 8 of the agenda

211. At the 306th meeting, the Sub-Commission considered item 8 of its agenda, entitled "Study of discrimination in the matter of the right of everyone to leave any country, including his own, and to return to his country, as provided in article 13, paragraph 2, of the Universal Declaration of Human Rights." The Sub-Commission had before it a memorandum (E/CN.4/Sub.2/L.157) submitted by Mr. José D. Ingles pursuant to resolution D, adopted by the Sub-Commission at its eleventh session (E/CN.4/778, para. 148). The memorandum described the scope of the study as finally determined by the Economic and Social Council at its twenty-eighth session (E/AC.7/SR.396); in accordance with the Council's resolution the study was to be limited to the right proclaimed in paragraph 2 of article 13 of the Universal Declaration of Human Rights. Further, the memorandum presented and explained a proposed outline intended to serve in the first instance as a guide for the collection of information to be used in the study.

212. In presenting his memorandum to the Sub-Commission, Mr. Ingles pointed out that it was largely procedural in character. It had not been possible, because of the limitations of the Secretariat and its prior commitments, to have the benefit of any draft "country monographs" or other new documentation. Therefore the proposed outline had been based almost entirely upon his own analysis of the concepts involved in the study and on his general knowledge of present national and international practice relating to the right of everyone to leave any country, including his own, and to return to his country.

213. Mr. Ingles also pointed out that a new development had occurred since he had completed the memorandum; the Third Committee of the General Assembly had examined article 12 of the draft covenant on civil and political rights, dealing with the right which he had been requested to study, and had adopted a final text for the article. As a result, the views of the international community with respect to the right, and the limitations which might legitimately be imposed upon its enjoyment, were now better known and understood.

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214. Several members of the Sub-Commission expressed their gratitude to Mr. Ingles for the preliminary work which he had done, and their approval of his memorandum and of the outline annexed thereto. Mr. Krishnaswami submitted to the Sub-Commission a draft resolution (E/CN.4/Sub.2/L.207), proposing that a study of discrimination in the matter of the right set forth in article 13, paragraph 2, of the Universal Declaration of Human Rights should be initiated, and that a Special Rapporteur should be appointed to carry out this study.

215. There was some discussion of a portion of the first operative paragraph of Mr. Krishnaswami's draft resolution, wherein it was proposed that the Sub-Commission should approve the outline which Mr. Ingles had proposed to serve as a framework for the study. It was pointed out that although the outline was a useful guide for collection of information, at a later stage it might become necessary to alter it, and that it was therefore premature to approve it finally at such an early stage. Mr. Krishnaswami, in order to take this point of view into account, amended the text to read, "to serve as a framework for the collection of information for the study".

216. Mr. Sapozhnikov recalled the earlier efforts of the Sub-Commission to broaden the scope of the study so as to include the rights proclaimed in both paragraphs of article 13, instead of only the right proclaimed in paragraph 2, and expressed the hope that the Sub-Commission would not abandon altogether its efforts in this direction. Other members of the Sub-Commission, however, recalled that this question already had been dealt with by the Sub-Commission's parent bodies on three separate occasions, and that there was no realistic possibility that their decision might be reversed.

217. Mr. Krishnaswami, taking into account the views expressed by members of the Sub-Commission, proposed that Mr. Ingles be appointed as Special Rapporteur for the study. The proposal was adopted unanimously.

218. The draft resolution submitted by Mr. Krishnaswami, as amended, was adopted unanimously by the Sub-Commission as follows:

RESOLUTION 5 (XII)

STUDY OF DISCRIMINATION IN THE MATTER OF THE RIGHT OF EVERYONE
TO LEAVE ANY COUNTRY, INCLUDING HIS OWN, AND TO RETURN TO HIS
COUNTRY, AS PROVIDED IN ARTICLE 13, PARAGRAPH 2, OF THE
UNIVERSAL DECLARATION OF HUMAN RIGHTS

The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Noting that the subject of discrimination in the matter of "the right of everyone to leave any country, including his own, and to return to his country, as provided in article 13, paragraph 2, of the Universal Declaration of Human Rights" is the sole topic remaining on its approved work programme upon which a full study has not yet been initiated;

Recalling that the Sub-Commission examined, at its eleventh session, a preliminary study on this subject prepared by Mr. José D. Ingles in consultation with the Secretary-General (E/CN.4/Sub.2/L.146);

Having received and examined the memorandum on this subject submitted by Mr. Ingles (E/CN.4/Sub.2/L.157) pursuant to resolution D, adopted by the Sub-Commission at its eleventh session;

1. Expresses its gratitude to Mr. Ingles for the memorandum and approves the annexed outline which he has proposed to serve as a framework for the collection of information for the study;

2. Decides to initiate a study of discrimination in the matter of the right of everyone to leave any country, including his own, and to return to his country, as provided in article 13, paragraph 2, of the Universal Declaration of Human Rights;

3. Appoints Mr. Ingles as its Special Rapporteur to carry out this study.

4. Requests the Special Rapporteur to follow the standard directives relating the preparation of studies and of recommendations for action set out in resolution B of the Sub-Commission, adopted at its sixth session (E/CN.4/703, para. 97), as amended by the Commission on Human Rights at its tenth session.

5. Further requests the Special Rapporteur to present to the Sub-Commission at its thirteenth session, if possible, a progress report on the study.

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IX. MEASURES TAKEN BY UNESCO FOR THE PREPARATION OF INTERNATIONAL
INSTRUMENTS RELATING TO DISCRIMINATION IN EDUCATION

Item 9 of the agenda

Introduction

219. At the 306th and 307th meetings the Sub-Commission examined item 9 of its agenda, entitled "Measures taken by UNESCO for the preparation of international instruments relating to discrimination in education: Note by the Director-General of UNESCO."

220. The Sub-Commission had before it a note by the Director-General of UNESCO (E/CN.4/Sub.2/201) which read as follows:

"1. Following the decision by the General Conference of UNESCO at its tenth session relating to 'drafting recommendations to Member States and an international convention on the various aspects of discrimination in education', the United Nations Sub-Commission on the Prevention of Discrimination and Protection of Minorities requested that the Secretary-General should 'arrange with the Director-General of UNESCO that the preliminary report, recommendations and draft convention which will be circulated to Member States for comment be made available also to the Sub-Commission in 1960, in order to enable the Sub-Commission to express its views on these documents before they are submitted to the Committee of Technical and Legal Experts and to the eleventh session of the General Conference of UNESCO'.

"2. The rules of procedure relating to recommendations and conventions, adopted by the General Conference of UNESCO in 1950, prescribe a procedure and a time schedule for the preparation of these legal instruments with which the Director-General of UNESCO is obliged to comply. This procedure and time schedule make it impossible for the draft texts requested to be ready by the date for the opening of the twelfth session of the Sub-Commission, in January 1960.

"3. The Director-General of UNESCO, having been informed of the Sub-Commission's request and having duly noted it, stated as follows in a letter of 8 March 1959 to the Secretary-General which has been communicated to the Commission on Human Rights: 1/

'In this connexion, a problem of timing arises, as regards in particular the presentation to the Sub-Commission of the draft text of the proposed convention and recommendations.

1/ Official Records of the Economic and Social Council, Twenty-eighth Session, Supplement No. 8 (E/3229), paragraph 203.

'Taking into account our rules for the preparation of international instruments and the nature of the problem involved, the following time schedule has to be applied:

'(1) The beginning of June 1959. A preliminary report will be sent to Member Governments containing:

(a) A description of the problems involved and of the various solutions that might be applied;

(b) Questions addressed to Member States.

'It would not be possible or appropriate to include in this report any text of draft convention or recommendation, even in a very tentative form.

'(2) 30 November 1959. Deadline for Governments' replies.

'(3) Beginning of April 1960. A final report will be sent to Member States with first drafts of the proposed instruments.

'(4) June or beginning of July 1960. A Committee of Governmental Experts will establish the final drafts of the instruments.

'(5) November/December 1960. The General Conference will examine and adopt instruments.

'The above schedule, which was worked out in detail, makes it impossible for us to have a first draft of the instruments ready until some time in March 1960. Therefore, should the Sub-Commission meet as usual in January, the Director-General would not be able to comply literally with the request of the Sub-Commission. He intends, however, to present to the Sub-Commission a progress report containing all information and documentation available at that time.'

"4. The purpose of the present document is to submit to the Sub-Commission all the information available up to the present date.

"5. The initial report called for by the rules of procedure on conventions and recommendations has been drawn up and was submitted by a circular letter dated 2 June 1959 to Member States, which were requested to reply to the accompanying questionnaire. Copies of this report are available to members of the Sub-Commission.

"6. Up to 2 December 1959 twenty-four replies from Member States had reached the Secretariat. Some of them were provisional replies and stated that observations on the substance of the matter would be transmitted later.

"7. The Director-General has reason to believe that other Member States will communicate their replies to the questionnaire contained in the initial report during December.

"8. An analysis of the replies received by 15 December will be drawn up for the use of the Sub-Commission and will be issued as an addendum to this document.

"9. In February next the Director-General will draw up and communicate to the Commission on Human Rights at its sixteenth session, together with a report containing all the available information, a draft convention and draft recommendations which, in accordance with a decision taken by the General Conference of UNESCO at its tenth session, will be submitted to the Committee of Technical and Legal Experts called for by the rules of procedure.

"10. The meeting of this Committee is fixed for 13 June 1960.

"11. The Commission on Human Rights, which in its resolution 6 (XV) of 31 March 1959 ^{1/} decided to include the item 'study of discrimination in education' in the agenda of its sixtieth session, will thus be in possession of all the information it may require."

221. The Sub-Commission also had before it an addendum to the Director-General's note (E/CN.4/Sub.2/201/Add.1), containing an analysis of replies received from Member States up to 15 December 1959 to questions contained in the preliminary report sent to them on 2 June 1959.

222. The representative of UNESCO explained to the Sub-Commission why it had not been possible for that organization to comply with the wish which the Sub-Commission had expressed at its eleventh session, to examine at its twelfth session the draft texts of the recommendations and convention on discrimination in education. The procedure imposed by the regulations of UNESCO made it mandatory upon the Director-General to consult Member States about the bases and content of the recommendations, through a preliminary report addressed to them. There was not enough time to conduct this consultation, to receive the replies of the Member States, and to draft the recommendations and convention prior to January. In drafting the preliminary report sent to Member States, UNESCO had taken full account of the study of the Sub-Commission's Special Rapporteur, Mr. Charles D. Ammoun (Lebanon), of the Sub-Commission's discussions, of the

^{1/} Official Records of the Economic and Social Council, Twenty-eighth Session, Supplement No. 8 (E/3229).

principles adopted by it, and of the comments of Member States which had been examined by the Commission on Human Rights at its fourteenth session.

223. The Director-General of UNESCO would be happy, the representative of UNESCO stated, to receive the comments of the Sub-Commission on the preliminary report and on the questionnaire, and would take them fully into account in drafting the recommendations and the convention. However, since the Sub-Commission was reaching the end of its session and did not have sufficient time to study these materials in detail, the representative of UNESCO offered to recommend to the Director-General that the draft international instruments, once available, should be communicated to the individual members of the Sub-Commission so that they would be in a position to comment upon them prior to the meeting of the Committee of Experts. In any case, the draft recommendations and the convention were to be submitted to the Commission on Human Rights in Geneva at the end of February. They would also be sent to Member States on the first of April.

224. The representative of UNESCO further pointed out that if the Sub-Commission were to meet as usual in January 1961, it would be too late for it to examine the texts which might be adopted by the General Conference of UNESCO. If they were to be so adopted, they would then no longer be drafts prepared by the Committee of Experts and Jurists, but recommendations and a convention in their final form.

Consideration of draft resolution on measures taken by UNESCO for the preparation of international instruments relating to discrimination in education

225. A draft resolution on the measures taken by UNESCO for the preparation of international instruments relating to discrimination in education (E/CN.4/Sub.2/L.202/Rev.1) was submitted by Mr. Hiscocks. The draft resolution proposed that the Sub-Commission should note that it had proved impossible for UNESCO to present to the Sub-Commission for its consideration at the twelfth session any text of a draft convention or recommendations, and that it should decide to retain the subject of discrimination in education as an item on its agenda in order that it might at its thirteenth session examine the texts prepared by UNESCO's Committee of Technical and Legal Experts.

226. The draft resolution also dealt with a related subject: the preparation of a brief popular summary of the Study on Discrimination in Education (United Nations

Sales No. 1957.XIV.3), drawn up by the Sub-Commission's Special Rapporteur, Mr. Charles D. Ammoun (Lebanon). The preparation of such a summary had been requested by the Commission on Human Rights in resolution VIII B, adopted at its thirteenth session (E/2970, Rev.1, para. 189). Under the draft resolution the Secretary-General would be called upon to consult with the Director-General of UNESCO as to the possibility of issuing such a summary at an early date and, should this not prove feasible, to inform the Commission on Human Rights of the position at its sixteenth session, so that it may consider how the summary may be completed and published without delay. Mr. Hiscocks revised his draft resolution so that the beginning of operative paragraph 3 would read: "Regrets that UNESCO has not yet been able to produce a brief popular summary or booklet based on the Special Rapporteur's study....".

227. In introducing his draft resolution, Mr. Hiscocks recalled that the representative of UNESCO had advised the Sub-Commission at its tenth session that the publication of a brief popular summary of the Study of Discrimination in Education was scheduled for May 1958; however, despite this assurance, the summary still had not appeared. He attached particular importance to the production of the summary, as it had been intended to play an important role in the education of world opinion. He regretted that the Director-General of UNESCO, in the notes submitted to the Sub-Commission at its eleventh and twelfth sessions, had made no mention of the proposed summary or booklet. By undertaking to produce the summary or booklet, and not doing so, UNESCO had prevented the Sub-Commission from making other arrangements for this task to be carried out.

228. Mr. Sharaf proposed orally that the beginning of operative paragraph 3 of Mr. Hiscocks' draft resolution should be amended to read: "Urges UNESCO to expedite the production of a brief popular summary....".

229. The representative of UNESCO regretted that it had not been possible to publish a popular summary of the Study of Discrimination in Education because the Special Rapporteur himself, who had undertaken the preparation of such a summary, had come to the conclusion that he was unable to do so and had advised against it. At the suggestion of the Special Rapporteur the secretariat of UNESCO had

considered the production of a general popular booklet on discrimination in education. In the meantime, however, the situation had changed and the problem had broadened because UNESCO had undertaken to prepare international recommendations and a convention on discrimination in education. It was felt that before such a popular summary of the study was produced, the action of the General Conference on these proposed instruments should be known.

230. Several members of the Sub-Commission, in particular Messrs. Krishnaswami and Halpern, expressed their deep concern that the time-table which UNESCO had adopted made no provision for the Sub-Commission to comment upon international instruments which were within its competence. Mr. Krishnaswami pointed out that it was the Sub-Commission's duty, as a body of experts on the prevention of discrimination, to examine and to express its collective views on any such instruments while they were still in draft form and before they had been finally adopted by the General Conference of UNESCO. The materials which UNESCO had placed before the Sub-Commission were interesting, but essentially they added little to the principles which the Sub-Commission itself had elaborated in 1957, or to the comments thereon which the Commission on Human Rights had obtained from Governments and had considered in 1958. Mr. Halpern expressed the view that the procedure and time schedule which had been adopted by UNESCO, the result of which would be to exclude the Sub-Commission from the work connected with the preparation of international instruments relating to discrimination in education, was improper; he felt that if it was impossible for UNESCO to alter its time schedule, the Sub-Commission should change its own schedule.

231. Some members of the Sub-Commission welcomed a suggestion, made by the representative of UNESCO, that UNESCO might communicate to them individually the draft instruments to be prepared by the UNESCO secretariat, in advance of the meeting of the Committee of Technical and Legal Experts. However, several of them pointed out that this was not acceptable as a substitute for a collective examination of these drafts by the Sub-Commission as a body, inasmuch as the observations prepared by individual members of the Sub-Commission could not have the impact of comments prepared by the Sub-Commission itself.

232. The voting on the proposal as amended was postponed to a later stage (see paras. 237 to 240 of this report).

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Consideration of draft resolution on the time and place of the
thirteenth session of the Sub-Commission

233. Taking into account the views which had been expressed in the Sub-Commission concerning the procedure and time schedule for the preparation by UNESCO of international instruments relating to discrimination in education, Mr. Halpern submitted to the Sub-Commission a proposal (E/CN.4/Sub.2/L.212) that it should request the Commission on Human Rights to take appropriate steps to authorize the advancing of the thirteenth session of the Sub-Commission to a period from 15 August to 9 September 1960, and that it should express the view that the session should be held preferably in Geneva if that is found to be feasible, otherwise in New York. Several members of the Sub-Commission supported the draft resolution, which would enable the Sub-Commission to examine the texts prepared by UNESCO's Committee of Technical and Legal Experts before they were put into final form and adopted by the UNESCO General Conference. Messrs. Hiscocks and Matsch, however, feared that such a step might interfere seriously with the production of a substantial draft report on discrimination in the matter of political rights for the thirteenth session of the Sub-Commission, and with the completion of the study in 1962. It might also disturb the general pattern of the Sub-Commission's normal programme.

234. The representative of UNESCO indicated that that specialized agency would welcome the comments of the Sub-Commission on the draft texts, as these comments would be most useful to UNESCO in its work.

235. In reply to a question concerning the effect of advancing the date of the session of the Sub-Commission upon the study of discrimination in the matter of political rights, the representative of the Secretary-General pointed out that the Secretariat obviously could not give Mr. Santa Cruz as much assistance in the seven months between January and August 1960 as in the twelve months between January 1960 and January 1961.

236. The draft resolution submitted by Mr. Halpern was adopted by 6 votes to 2, with 5 abstentions, as follows:

RESOLUTION 6 (XII)*

TIME AND PLACE OF THE THIRTEENTH SESSION OF THE SUB-COMMISSION

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Noting that under the time-table adopted by UNESCO it will not be possible for it to submit any text of an international instrument relating to discrimination in education to the Sub-Commission for comment, prior to the final adoption of the text by the UNESCO General Conference, unless the time of holding the next session of the Sub-Commission is advanced to a date prior to September 1960,

Taking into account the other urgent problems in the field of the prevention of discrimination confronting the Sub-Commission,

Requests the Commission on Human Rights to take appropriate steps to authorize the advancing of the thirteenth session of the Sub-Commission to a period from 15 August to 9 September 1960, preferably in Geneva if that is found to be feasible, otherwise in New York.

237. In the light of the adoption of the above resolution, Mr. Hiscocks revised the latter half of the second operative paragraph of his draft resolution to read:

"and will welcome an opportunity for its individual members to be able to examine both the draft texts and the texts prepared by UNESCO's Committee of Technical and Legal Experts." Mr. Halpern submitted, as an amendment to this text, the addition of the words "in the event that the next session of the Sub-Commission is not held until January 1961."

238. The amendment proposed by Mr. Halpern was adopted unanimously. Operative paragraph 2 as a whole was adopted unanimously.

239. The amendment proposed by Mr. Sharaf to operative paragraph 3 of the draft resolution (see para. 227 of this report) was adopted by 8 votes to 2, with 1 abstention. The paragraph as a whole was adopted by 10 votes to none, with 1 abstention.

240. The draft resolution as a whole, as amended, was adopted unanimously, as follows:

* The financial implications of this resolution are set forth in an addendum to this report (E/CN.4/800/Add.1).

RESOLUTION 7 (XII)

MEASURES TAKEN BY UNESCO FOR THE PREPARATION OF INTERNATIONAL INSTRUMENTS
RELATING TO DISCRIMINATION IN EDUCATION

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling resolution E (E/CN.4/778, paragraph 159) adopted at its eleventh session, on collaboration with UNESCO concerning draft recommendations and a draft convention on discrimination in education,

Having considered the measures taken by UNESCO for the preparation of international instruments relating to such discrimination (E/CN.4/Sub.2/201 and Add.1), and being appreciative of the progress that has already been made,

1. Notes that it has nevertheless not proved possible for UNESCO to present to the Sub-Commission for its consideration at this session any text of a draft convention or recommendations;

2. Decides to retain the subject of discrimination in education as an item on its agenda and, in the event that the next session of the Sub-Commission is not held until January 1961, would welcome an opportunity for its individual members to be able to examine both the draft texts and the texts prepared by UNESCO's Committee of Technical and Legal Experts;

3. Urges UNESCO to expedite the production of a brief popular summary or booklet based on the Special Rapporteur's study on discrimination in education that was requested by the Commission on Human Rights in resolution VIII B, adopted at its thirteenth session (E/2970/Rev.1, paragraph 189);

4. Requests the Secretary-General to consult with the Director-General of UNESCO as to the possibility of issuing such a summary at an early date and, should this not prove possible, to inform the Commission on Human Rights of the position at its sixteenth session, so that it may consider how the summary may be completed and published without further delay.

X. OBSERVATIONS ON THE PROCEEDINGS OF THE SECOND UNITED NATIONS CONFERENCE
OF NON-GOVERNMENTAL ORGANIZATIONS INTERESTED IN THE ERADICATION OF
PREJUDICE AND DISCRIMINATION

Item 10 of the agenda

241. In accordance with Economic and Social Council resolution 683 E (XXVI) of 21 July 1958, a Second Conference of Non-Governmental Organizations Interested in the Eradication of Prejudice and Discrimination was convened at the European Office of the United Nations, Geneva, from 22 to 26 June 1959. The Conference prepared a report to the Council on its proceedings (E/NGO/CONF.2/7). As requested by the Commission on Human Rights in resolution 12 (XV), the Sub-Commission placed on its agenda the item "Observations on the proceedings of the Second United Nations Conference of Non-Governmental Organizations Interested in the Eradication of Prejudice and Discrimination".

242. The report of the Conference contained, in addition to a section setting forth the organization of the Conference and a series of preliminary remarks prepared by the Conference Rapporteur, chapters summarizing the exchanges of views at the Conference relating to the most effective techniques for combating prejudice and discrimination. Following the agenda of the Conference, these chapters dealt respectively with education and information techniques, legal techniques, and techniques of civic and community action. Further, twelve resolutions adopted by the Conference were set out in a chapter dealing with the question of co-operation with United Nations bodies.

243. In addition to the report of the Conference, the Sub-Commission had before it communications relating to the Conference submitted by the Consultative Council of Jewish Organizations (E/CN.4/Sub.2/NGO/14) and by the World Veterans Federation (E/CN.4/Sub.2/NGO/19).

244. Mr. James Marshall (Consultative Council of Jewish Organizations), who had acted as a Consultant at the Conference, expressed to the Sub-Commission the gratitude of the non-governmental organizations in consultative status for its leadership in the struggle for the eradication of prejudice and discrimination, and in particular for its role in convening the Conference. While recalling that a majority of the resolutions adopted by the Conference had been addressed primarily to the

non-governmental organizations themselves and would be implemented by them, he drew special attention to three resolutions which required for their implementation action by the United Nations or its specialized agencies. In resolution 1 (II), the Conference urged UNESCO to intensify its programme for the eradication of prejudice and discrimination and invited that agency (a) to create a documentation centre on social, political, and legal methods and techniques for combating prejudice and discrimination, and (b) to convene meetings of educators, social scientists, and other experts on techniques for combating prejudice and discrimination, to evaluate, to demonstrate and to improve these techniques. In resolution 6 (II), the Conference appealed to universities, research institutes and foundations to improve the facilities for research on the causes of prejudice and discrimination and on techniques for their eradication. In resolution 9 (II), the Conference recommended inter alia that the regional economic commissions of the United Nations should undertake studies of the economic effects of discriminatory practices, that efforts should be made to expand the advisory services available to States Members of the United Nations to include assistance in the eradication of discriminatory practices, and that non-governmental organizations, where appropriate, should stimulate the necessary requests for such services.

245. The Representative of UNESCO stated that, in response to resolution 1 (II) of the Conference, UNESCO had included in its draft programme for 1961-62 plans for a conference of sociologists, educationists and representatives of non-governmental organizations, especially youth movements, to discuss what means should be used in out-of-school activities to combat racial prejudice among young people. An international seminar had also been planned, in co-operation with one or more non-governmental organizations, to consider educational techniques for combating discrimination and prejudice and for promoting inter-group understanding. A special issue of "Education Abstracts" would be devoted to this subject. He added that if a documentation centre on social, political, economic and legal methods and techniques for combating prejudice and discrimination were to be established under the auspices of non-governmental organizations, UNESCO would be prepared to envisage giving technical advice and assistance to such a centre.

246. Because of the short time available to the Sub-Commission for the consideration of this item of its agenda, only a few members were able to comment on the report of the Conference. These members were of the view that the recommendations contained in the report, and particularly those to which special attention had been drawn, deserved detailed examination and should therefore be reviewed carefully by the Sub-Commission at its thirteenth session. Mr. Juvigny proposed (E/CN.4/Sub.2/L.209) that the Sub-Commission should welcome the success of the Conference, express the view that such periodic conferences represent an important contribution to the eradication of prejudice and discrimination throughout the world, and voice the hope that non-governmental organizations would make every effort to give the fullest effect to the resolutions of the Conference.

247. In the light of the discussion of his proposal in the Sub-Commission, Mr. Juvigny amended the final operative paragraph by adding the words "in so far as they are concerned" between the words "to give the fullest effect" and the words "to the relevant resolutions". He also added a fourth operative paragraph to his proposal, whereby the Sub-Commission would decide to undertake at its next session a thorough study of the work of the Conference.

248. The draft resolution, as revised, was adopted unanimously, as follows:

RESOLUTION 8 (XII)

OBSERVATIONS ON THE PROCEEDINGS OF THE SECOND UNITED NATIONS CONFERENCE OF NON-GOVERNMENTAL ORGANIZATIONS INTERESTED IN THE ERADICATION OF PREJUDICE AND DISCRIMINATION

The Sub-Commission on Prevention of Discrimination and Protection
of Minorities,

Having taken note of the report of the Second United Nations
Conference of Non-Governmental Organizations Interested in the Eradication
of Prejudice and Discrimination (E/NGO/CONF.2/7),

1. Welcomes the success of that Conference and appreciates the high
quality of its work;

2. Considers that such periodic conferences represent an important
contribution to the eradication of prejudice and discrimination throughout
the world;

/...

3. Expresses the hope that the non-governmental organizations concerned will continue their fruitful collaboration and their co-operation with the United Nations and the specialized agencies, and will make every effort to give the fullest effect, in so far as they are concerned, to the relevant resolutions adopted by the aforementioned Conference;

4. Decides to undertake at its next session a thorough study of the work of the Conference.

XI. PROTECTION OF MINORITIES

Item 11 of the agenda

249. At the 307th meeting the Sub-Commission considered item 11 of its agenda, entitled "Protection of Minorities".

250. The Sub-Commission had before it, for information, a note which had been submitted by the Secretary-General to the eleventh session of the Sub-Commission (E/CN.4/Sub.2/194) summarizing the activities of the United Nations relating to the protection of minorities.

251. A draft resolution on the protection of minorities, submitted to the Sub-Commission by Mr. Matsch (E/CN.4/Sub.2/L.210), proposed that the Sub-Commission should decide to include the item on the agenda of its thirteenth session and, in accordance with its resolution F of the seventh session, to consider any facts relevant to the problem of the special protection of minorities that might be brought to its attention or that might emerge in connexion with the Sub-Commission's work on discrimination.

252. In introducing his draft resolution, Mr. Matsch recalled that the General Assembly had stated, in resolution 217 C (III), that the United Nations could not remain indifferent to the fate of minorities; and in resolution 532 B (VI) had expressed the view "that the prevention of discrimination and the protection of minorities are two of the most important branches of the positive work undertaken by the United Nations". Claims of some non-dominant ethnic groups to be entitled to special measures of protection, in addition to the rights accorded to the rest of the population, existed and should not be overlooked, he pointed out. Although he agreed that it was very difficult, if not impossible, to bring under a satisfactory general definition those minority groups which required special protective measures, and although he realized that no recommendations for the protection of any such minority group could be made without a thorough knowledge of their present position, he nevertheless felt that the Sub-Commission should continue to be concerned with the problem of the protection of minorities.

253. Mr. Matsch, in the course of the discussion of his draft resolution, accepted amendments suggested by Messrs. Halpern, Machowski and Sapozhnikov. At the request of Mr. Halpern he added to the second preambular paragraph of the draft resolution the words, "and considering also resolution F, adopted by the Sub-Commission at its seventh session in 1955". At the request of Messrs. Machowski and Sapozhnikov, he deleted the portion of the operative paragraph which read: "and, in accordance with its resolution F of the seventh session, to consider any facts relevant to the problem of the special protection of minorities that may be brought to its attention or that may emerge in connexion with the Sub-Commission's work on discrimination.

254. The draft resolution, as revised, was adopted unanimously, as follows:

RESOLUTION 9 (XII)

PROTECTION OF MINORITIES

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling resolution 532 B (VI) of the General Assembly, in which it is stated that the prevention of discrimination and the protection of minorities are two of the most important branches of the positive work undertaken by the United Nations,

Considering that the Commission on Human Rights at its 1954 session requested the Sub-Commission to submit recommendations which it may be in a position to make concerning the application of special measures for the protection of minorities, and considering also resolution F, adopted by the Sub-Commission at its seventh session in 1955,

Decides to include the item: "Protection of Minorities" on the agenda of its thirteenth session.

XII. FUTURE WORK OF THE SUB-COMMISSION

Item 12 of the agenda

255. At its 307th meeting, the Sub-Commission considered item 12 of its agenda "Future work of the Sub-Commission, including the question of undertaking any new studies, the question of the priority to be given any such studies, and the question of control and limitation of documentation". The Sub-Commission had before it a memorandum on its future work (E/CN.4/Sub.2/195) prepared for its eleventh session by the Secretary-General in accordance with resolution F, adopted by the Sub-Commission at its tenth session. The Chairman pointed out that in view of the time-table for the studies already under way, the question of future work was of no immediate importance. At his suggestion the Sub-Commission decided that this question should be taken up again at its thirteenth session.

256. In connexion with this item the Sub-Commission considered a draft resolution submitted jointly by Messrs. Halpern, Ingles and Saario (E/CN.4/Sub.2/L.206), in which it was proposed that the Sub-Commission should request the Secretary-General, in consultation with interested specialized agencies and especially the International Labour Organisation and UNESCO, to organize, on his own initiative, a series of regional seminars of experts, to be nominated by Governments and acting in their individual capacity, to study various aspects of and techniques for the prevention of discrimination and the protection of minorities, including seminars on the causes and elimination of prejudice in all its forms.

257. In introducing the draft resolution, Mr. Halpern pointed out that it was in the form of a text which the Economic and Social Council eventually would be called upon to approve. He expressed regret that although seminars relating to the prevention of discrimination had been authorized for a number of years, none had been held as yet because of the reluctance of Governments to initiate such seminars. It was for this reason that the draft resolution proposed that the Secretary-General himself should take the initiative. Mr. Halpern explained that the words "protection of minorities" in the draft resolution, as part of the subject-matter of seminars, referred only to the assurance of equality of treatment of minorities, with which the Sub-Commission dealt in its work on the prevention

of discrimination. Its activities relating to the special protection of minorities was being held in abeyance pending the receipt of a further directive from the Commission on Human Rights.

258. Mr. Sapozhnikov agreed with Mr. Halpern that such seminars could serve a useful purpose, and he had no objection to the proposal in principle. However, he understood that in the past all seminars organized under the programme of Advisory Services in the Field of Human Rights had been subject to the approval of the Commission on Human Rights and the Economic and Social Council; he wondered whether or not these bodies would have control over seminars organized under the new programme envisaged in the draft resolution. He suggested, and the co-sponsors agreed, to the deletion of the word "regional" in the operative paragraph.

259. The representative of the Secretary-General stated that reports were submitted at regular intervals to the Council and to the Commission on all seminars organized under the programme of the Advisory Services in the Field of Human Rights, and that reports would be submitted in the same manner if requested on any seminars organized under the proposed new programme. It was his understanding that the seminars envisaged in the draft resolution would not come under the Advisory Services Programme, but would constitute a distinct new programme.

260. Mr. Hiscocks expressed doubts as to the wisdom of the procedure proposed in the draft resolution, and maintained that its terms might be considered as a reproach to Governments which had not volunteered to initiate seminars on the prevention of discrimination or the protection of minorities. He pointed out that the resolution which was being considered so hurriedly carried with it considerable financial implications. Other members, however, recalled that the Sub-Commission had already expressed the view that seminars on these subjects were desirable, and that it was easily understandable why Governments had been reluctant to take the lead in organizing them, as this might be considered by some as an admission that they required assistance in solving problems of this type. They were convinced that if the Secretary-General were to take the initiative in organizing such seminars, a number of Governments would join in sponsoring them; and were equally convinced that if the Secretary-General did not take the initiative, no seminars on these subjects would be arranged.

261. The Sub-Commission expressed the wish that the Economic and Social Council, in scheduling future sessions of the Sub-Commission, would consider the advisability of lengthening the period of sessions from three weeks to four, in order to allow the Sub-Commission adequate time in which to complete its work.

262. The draft resolution, as amended by its sponsors, was adopted by 11 votes to none, with 1 abstention, as follows:

RESOLUTION 10 (XII)*

FUTURE WORK OF THE SUB-COMMISSION

The Sub-Commission on Prevention of Discrimination and Protection of Minorities

Requests the Commission on Human Rights to request the Economic and Social Council to adopt the following draft resolution:

The Economic and Social Council,

Recalling General Assembly resolution 926 (X) on advisory services on human rights, whereby the Secretary-General is authorized to perform certain services, including the organization of seminars, at the request of any State Member of the United Nations,

Recalling that the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its eighth session in 1956, and the Commission on Human Rights at its twelfth session in the same year, both emphasized the desirability of holding seminars on the prevention of discrimination and the protection of minorities and requested the Secretary-General to explore the desirability of holding seminars in the field of human rights especially with regard to the prevention of discrimination and the protection of minorities,

Noting that no Member State has yet requested the Secretary-General to organize a seminar dealing with the prevention of discrimination or the protection of minorities,

* The financial implications of this resolution are set forth in an addendum to this report (E/CN.4/800/Add.1).

Requests the Secretary-General, in consultation with interested specialized agencies and especially the International Labour Organisation and UNESCO, to organize, on his own initiative, a series of seminars of experts, to be nominated by Governments and acting in their individual capacity, to study various aspects of and techniques for the prevention of discrimination and the protection of minorities, including seminars on the causes and elimination of prejudice in all its forms.

XIII. ADOPTION OF THE REPORT OF THE SUB-COMMISSION
TO THE COMMISSION ON HUMAN RIGHTS

Item 13 of the agenda

263. The Sub-Commission considered the draft report of its twelfth session (E/CN.4/Sub.2/L.174 and Add.1-4) at its 308th and 309th meetings, on 30 January 1960.

264. Mr. Rodriguez Fabregat declined to participate in the vote on the report because of the omissions contained in its presentation, in the different chapters, of the points of view and the principles set forth by the individual members of the Sub-Commission. These points of view and principles were recorded in the report in some instances only, and in other instances were omitted.

Mr. Rodriguez Fabregat considered that, in these circumstances, and in view of the time factor to which reference has been made, the report should consist of only two parts: (1) the text of the resolutions which were adopted, and (2) the text of the summary records of the Sub-Commission, in which the opinions and viewpoints of all the members of the Sub-Commission are recorded without any omissions. Mr. Rodriguez Fabregat considered that these were the two parts of the report which should be transmitted to the Commission on Human Rights, so that the latter would have accurate information, without omissions or gaps, concerning the proceedings referred to in the report.

265. At the 309th meeting, Mr. Halpern submitted to the Sub-Commission an amendment to paragraph 17 of Chapter V of the draft report (E/CN.4/Sub.2/L.174/Add.1) which the Rapporteur of the Sub-Commission had not been able to accept. At the request of Mrs. Mironova, Mr. Halpern added to his amendment the text of a statement which Mrs. Mironova had made at the 284th meeting, when the subject-matter dealt with in Mr. Halpern's amendment had been considered. The Sub-Commission rejected Mr. Halpern's amendment by 6 votes to 1, with 2 abstentions. Mr. Halpern announced that he would prepare a minority report, the text of which he read to the Sub-Commission, and requested that it be transmitted to the Commission on Human Rights. The Sub-Commission agreed that the minority report would be transmitted to the Commission as a separate document (E/CN.4/801).

266. The report of the Sub-Commission to the Commission on Human Rights, as revised by the Rapporteur, was adopted by 6 votes to none, with 1 abstention. The Chairman announced that Messrs. Matsch, Mirghani and Schaulsohn, who had found it necessary to leave before the session ended, had requested that their affirmative votes for the report should be recorded.

ANNEX

LIST OF DOCUMENTS BEFORE THE SUB-COMMISSION AT ITS TWELFTH SESSION

1. Documents issued in the general series:

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|------------------------|--|
| E/CN.4/Sub.2/194 | - Activities of the United Nations Relating to the Protection of Minorities (Note by the Secretary-General) |
| E/CN.4/Sub.2/195 | - Future work of the Sub-Commission (Note by the Secretary-General) |
| E/CN.4/Sub.2/199 | - Provisional Agenda for the Twelfth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (Note by the Secretary-General) |
| E/CN.4/Sub.2/199/Rev.1 | - Revised Provisional Agenda for the Twelfth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities |
| E/CN.4/Sub.2/200 | - Study of Discrimination in the Matter of Religious Rights and Practices (Report prepared by the Special Rapporteur, Mr. A. Krishnaswami) |
| E/CN.4/Sub.2/201 | - Measures taken by UNESCO for the Preparation of international instruments relating to discrimination in education (Note by the Director-General of UNESCO) |
| E/CN.4/Sub.2/201/Add.1 | - Measures taken by UNESCO for the Preparation of international instruments relating to discrimination in education (Addendum to the Note by the Director-General of UNESCO) |
| E/CN.4/Sub.2/202 | - Communication from the Acting Permanent Representative of Israel to the United Nations |

1. Documents issued in the general series: (continued)

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| E/CN.4/Sub.2/203 | - Agenda for the Twelfth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities
(Adopted at the Sub-Commission's 279th meeting) |
| E/CN.4/Sub.2/204 | - Communication from the Ambassador of the Federal Republic of Germany |
| E/CN.4/Sub.2/205 | - <u>Note verbale</u> from the Permanent Mission of the Polish People's Republic to the United Nations |
| E/NGO/CONF.2/7 | - Second United Nations Conference of Non-Governmental Organizations Interested in Eradication of Prejudice and Discrimination
(Report to the Economic and Social Council on the Proceedings of the Conference) |

2. Documents issued in the limited series:

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| E/CN.4/Sub.2/L.157 | - Study of Discrimination in the Matter of the Right of Everyone to Leave Any Country, Including his Own, and to Return to his Country, as Provided in Article 13, Paragraph 2, of the Universal Declaration of Human Rights
(Memorandum submitted by Mr. José D. Ingles) |
| E/CN.4/Sub.2/L.158 | - Study of Discrimination in the Matter of Political Rights
(Memorandum submitted by the Special Rapporteur, Mr. Hernan Santa Cruz) |
| E/CN.4/Sub.2/L.159 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Messrs. Halpern, Hiscocks, Juvigny, Matsch, Rodriguez Fabregat and Saario: draft resolution on condemnation of manifestations of anti-Semitism and other religious and so-called racial prejudices and recommendations with respect to them) |

2. Documents issued in the limited series: (continued)

- E/CN.4/Sub.2/L.159/Rev.1 - Study of Discrimination in the Matter of Religious Rights and Practices (Messrs. Halpern, Hiscocks, Juvigny, Matsch, Rodriguez Fabregat and Saario: draft resolution on condemnation of manifestations of anti-Semitism and other religious and so-called racial prejudices and recommendations with respect to them - Revised Working Paper)
- E/CN.4/Sub.2/L.160 - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Hiscocks: Amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200)
- E/CN.4/Sub.2/L.161 - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Juvigny: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200)
- E/CN.4/Sub.2/L.162 - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Hiscocks: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200)
- E/CN.4/Sub.2/L.163 - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Ketrzynski: proposed amendments to the draft Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200)
- E/CN.4/Sub.2/L.164 - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Schaulsohn: amendment to Mr. Hiscocks' amendments E/CN.4/Sub.2/L.160 to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200)
- E/CN.4/Sub.2/L.165 - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Schaulsohn: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200)

2. Documents issued in the limited series: (continued)

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| E/CN.4/Sub.2/L.166 | - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Schaulsohn: amendment to Mr. Juvigny's amendment E/CN.4/Sub.2/L.161 to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.167 | - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Schaulsohn: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.168 | - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Ingles: amendment to the draft Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.169 | - Study of Discrimination in the Matter of Religious Rights and Practices (Messrs. Hiscocks, Juvigny and Schaulsohn: draft resolution on the study of discrimination in the matter of religious rights and practices) |
| E/CN.4/Sub.2/L.169/Add.1 | - Study of Discrimination in the Matter of Religious Rights and Practices (Statement of financial implications submitted by the Secretary-General) |
| E/CN.4/Sub.2/L.170 | - Study of Discrimination in the matter of Religious Rights and Practices (Mr. Rizk: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.171 | - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Halpern: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.172 | - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Ingles: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |

2. Documents issued in the limited series: (continued)

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| E/CN.4/Sub.2/L.173 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Hiscocks: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.174 and Add.1-4 | - Draft Report of the Twelfth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to the Commission on Human Rights |
| E/CN.4/Sub.2/L.175 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Halpern: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.176 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Messrs. Krishnaswami and Schaulsohn: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.177 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Messrs. Halpern, Hiscocks and Matsch: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.178 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Messrs. Krishnaswami, Rizk and Schaulsohn: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.179 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Halpern: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.180 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Hiscocks: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |

2. Documents issued in the limited series: (continued)

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| E/CN.4/Sub.2/L.181 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Halpern: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.182 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Ketrzynski: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.183 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Abdel-Ghani: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.183/Rev.1 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Abdel-Ghani: revised amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.184 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Juvigny: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.185 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Sapozhnikov: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.186 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Ingles: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.187 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Halpern: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |

2. Documents issued in the limited series: (continued)

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| E/CN.4/Sub.2/L.188 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Krishnaswami: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.189 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Saario: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.190 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Messrs. Ingles and Krishnaswami: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.191 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Ketrzynski: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.192 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Juvigny: amendment to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.193 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mrs. Mironova: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.194 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Halpern: amendments to the Basic Rules in Mr. Krishnaswami's Report E/CN.4/Sub.2/200) |
| E/CN.4/Sub.2/L.195 | - Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Halpern: amendments to Preamble proposed by Mr. Abdel-Ghani E/CN.4/Sub.2/L.183) |

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2. Documents issued in the limited series: (continued)

- E/CN.4/Sub.2/L.196
- Study of Discrimination in the Matter of Religious Rights and Practices
(Mrs. Mironova: amendments to the draft resolution submitted by Mr. Halpern, Mr. Hiscocks, Mr. Juvigny, Mr. Matsch, Mr. Rodriguez Fabregat and Mr. Saario E/CN.4/Sub.2/L.159)
- E/CN.4/Sub.2/L.197
- Study of Discrimination in the Matter of Religious Rights and Practices
(Messrs. Abdel-Ghani, Makkawi and Mirghani: amendment to Part A of the draft resolution proposed by Messrs. Hiscocks, Juvigny and Schaulsohn on the study of discrimination in the matter of religious rights and practices E/CN.4/Sub.2/L.169)
- E/CN.4/Sub.2/L.198
- Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Hiscocks: re-draft of Part A of the draft resolution on the study of discrimination in the matter of religious rights and practices E/CN.4/Sub.2/L.169)
- E/CN.4/Sub.2/L.199
- Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Krishnaswami: amendments to draft resolution of Messrs. Halpern, Hiscocks, Juvigny, Matsch, Rodriguez Fabregat and Saario E/CN.4/Sub.2/L.159)
- E/CN.4/Sub.2/L.200
- Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Krishnaswami: amendment to the Preamble as adopted)
- E/CN.4/Sub.2/L.201
- Study of Discrimination in the Matter of Religious Rights and Practices
(Mr. Krishnaswami: amendment to the Basic Rules in document E/CN.4/Sub.2/200)
- E/CN.4/Sub.2/L.202
- Measures taken by UNESCO for the Preparation of international instruments relating to discrimination in education
(Mr. Hiscocks: draft resolution on measures taken by UNESCO for the preparation of international instruments relating to discrimination in education)

2. Documents issued in the limited series: (continued)

- E/CN.4/Sub.2/L.202/Rev.1 - Measures taken by UNESCO for the preparation of international instruments relating to discrimination in education (Mr. Hiscocks: revised draft resolution on measures taken by UNESCO for the preparation of international instruments relating to discrimination in education)
- E/CN.4/Sub.2/L.203 - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Halpern: draft resolution relating to the report on discrimination in religious rights and practices)
- E/CN.4/Sub.2/L.204 - Study of Discrimination in the Matter of Religious Rights and Practices (Messrs. Makkawi, Mirghani and Sharaf: amendment to Part B of the draft resolution proposed by Messrs. Hiscocks, Juvigny and Schaulsohn on the study of discrimination in the matter of religious rights and practices E/CN.4/Sub.2/L.169)
- E/CN.4/Sub.2/L.205 - Study of Discrimination in the Matter of Political Rights (Mr. Saario: draft resolution on the study of discrimination in the matter of political rights)
- E/CN.4/Sub.2/L.206 - Future work of the Sub-Commission (Messrs. Halpern, Ingles and Saario: draft resolution on future work of the Sub-Commission)
- E/CN.4/Sub.2/L.206/Add.1 - Future work of the Sub-Commission (Messrs. Halpern, Ingles and Saario: draft resolution on future work of the Sub-Commission - Statement of financial implications submitted by the Secretary-General)
- E/CN.4/Sub.2/L.207 - Study of Discrimination in the Matter of the Right of Everyone to Leave any Country, Including his Own, and to Return to his Country, as Provided in Article 13, Paragraph 2, of the Universal Declaration of Human Rights (Mr. Krishnaswami: draft resolution)

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2. Documents issued in the limited series: (continued)

- E/CN.4/Sub.2/L.208 - Study of Discrimination in the Matter of Religious Rights and Practices (Mr. Schaulsohn: amendments to the draft resolution submitted by Mr. Halpern, Mr. Hiscocks, Mr. Juvigny, Mr. Matsch, Mr. Rodriguez Fabregat and Mr. Saario on condemnation of manifestations of anti-Semitism and other religious and so-called racial prejudices and recommendations with respect to them E/CN.4/Sub.2/L.159)
- E/CN.4/Sub.2/L.209 - Observations on the work of the Second United Nations Conference of non-governmental organizations interested in the eradication of prejudice and discrimination (Mr. Juvigny: draft resolution)
- E/CN.4/Sub.2/L.210 - Protection of Minorities (Mr. Matsch: draft resolution)
- E/CN.4/Sub.2/L.211 - Measures to be taken for the cessation of any advocacy of national, racial, or religious hostility that constitutes an incitement to hatred and violence, jointly or separately (Mrs. Mironova: draft resolution)
- E/CN.4/Sub.2/L.212 - Measures taken by UNESCO for the preparation of international instruments relating to discrimination in education (Mr. Halpern: draft resolution)
- E/CN.4/Sub.2/L.213 - Adoption of the report of the Sub-Commission to the Commission on Human Rights (Mr. Rodriguez Fabregat: amendment to the Draft Report of the Sub-Commission E/CN.4/Sub.2/L.174 and Add.1-4)
- E/CN.4/Sub.2/L.214 - Manifestations of anti-Semitism and other forms of racial and national hatred and religious and racial prejudices of a similar nature (Resolution adopted by the Sub-Commission on 28 January 1960)

3. Documents issued in the NGO series

- E/CN.4/Sub.2/NGO/12 - Statement submitted by the International League for the Rights of Man, a non-governmental organization in category B consultative status

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3. Documents issued in the NGO series: (continued)

- E/CN.4/Sub.2/NGO/13
- Study of discrimination in the matter of religious rights and practices
(Statement submitted by the International Catholic Child Bureau, Pax Romana, and the World Federation of Catholic Young Women and Girls, non-governmental organizations in Category B consultative status)
- E/CN.4/Sub.2/NGO/14
- Observations on the proceedings of the Second Conference of Non-Governmental Organizations Interested in the Eradication of Prejudice and Discrimination
(Statement submitted by the Consultative Council of Jewish Organizations, a non-governmental organization in Category B consultative status)
- E/CN.4/Sub.2/NGO/15
- Study of Discrimination in the Matter of Religious Rights and Practices
(Statement submitted by the World Jewish Congress, a non-governmental organization in Category B consultative status)
- E/CN.4/Sub.2/NGO/16
- Study of Discrimination in the Matter of Political Rights
(Statement submitted by the International League for the Rights of Man, non-governmental organization in Category B consultative status)
- E/CN.4/Sub.2/NGO/17
- Measures to be taken for the Cessation of any Advocacy of National, Racial, or Religious Hostility that Constitutes an Incitement to Hatred and Violence, Jointly or Separately
(Statement submitted by the International Federation of University Women, a non-governmental organization in Category B consultative status)
- E/CN.4/Sub.2/NGO/18
- Measures taken by UNESCO for the Preparation of International Instruments Relating to Discrimination in Education
(Statement submitted by the International Federation of University Women, a non-governmental organization in Category B consultative status)

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3. Documents issued in the NGO series: (continued)

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- Observations on the Proceedings of the
Second United Nations Conference of
Non-Governmental Organizations Interested
in the Eradication of Prejudice and
Discrimination E/NGO/CONF.2/7
(Statement submitted by the World
Veterans Federation, a non-governmental
organization in category A consultative
status)
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