

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



GENERAL

E/CN.4/Sub.2/112
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ORIGINAL; ENGLISH

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

Report of the Drafting Committee Composed of Mr. Black,
Mr. Elstrand, Mr. Masani and Miss Monroe

The Drafting Committee recommends the following two Draft Resolutions for adoption by the Sub-Commission:

I

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

Having considered the problem of the fate of minorities as referred to it by the General Assembly in its Resolution 217 (III) C,

Having adopted at its third session a definition of minorities for purposes of protection by the United Nations,

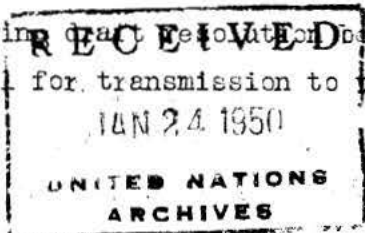
Is of the opinion that the most effective means of securing this protection would be the inclusion in the Covenant of Human Rights of the following article:

"Ethnic, religious and linguistic minorities shall not be denied the right to enjoy their own culture, to profess and practise their own religion, or to use their own language".

II

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

Recommends to the Commission on Human Rights that, if the Article contained in Resolution No. I is not included in the Draft Covenant on Human Rights, the following draft resolution be recommended for adoption by the Economic and Social Council for transmission to the General Assembly:



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CONSIDERING that the problem of the fate of minorities was referred to the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities by the General Assembly in Part C of Resolution 217 (III);

CONSIDERING that the Sub-Commission on Prevention of Discrimination and Protection of Minorities has adopted a definition of minorities for purposes of protection by the United Nations in Resolution III of its third session, annexed hereto; and that the Sub-Commission is now engaged in a further study of the problem of minorities in order that the United Nations may be able to take effective measures for the protection of minorities;

CONSIDERING that the rights traditionally desired by minorities were granted in the minorities treaties and declarations which came into force after the First World War;

CONSIDERING that many of the rights traditionally claimed by minorities are proclaimed in the Universal Declaration of Human Rights, and that pending the coming into force of an international covenant on human rights it is not feasible to determine what further measures will become necessary for the protection of minorities;

CONSIDERING that neither the Universal Declaration of Human Rights nor the Draft International Covenant on human rights fully covers the right of using the minority language before the courts, and of teaching the minority language as one of the courses of study in state-supported schools;

RECOMMENDS that, as an interim means of displaying its concern for minorities the General Assembly adopt, and so place the full weight of its authority behind, the draft Resolution on facilities to be provided for minorities recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its second session. (E/CN.4.351, Annex, Resolution V).

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The Drafting Committee recommends that if the Sub-Commission adopts resolution II above, the following paragraph be included in its Report:

The Sub-Commission draws the attention of the Commission on Human Rights to the fact that in view of the adoption of Resolution II above, it will not
/be necessary

be necessary for the Commission to consider separately Draft Resolution V on Facilities to be Provided for Minorities, adopted at the second session of the Sub-Commission (E/CN.4/351, Annex, Resolution V).
