

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION  
AND THE PROTECTION OF MINORITIES

Amendment to E/CN.4/Sub.2/35 submitted by Mr. McNamara  
(Australia)

PROTECTION OF MINORITIES.

1. "Prevention of Discrimination" is the prevention of any action which denies to individuals, or to groups, essential equality of treatment, on the grounds (inter alia) of race, distinctive national origin, language, and religion.
2. "Prevention" is distinguished from "protection" by referring to steps taken to forestall the origination of such discriminatory action, whereas "protection" refers to steps taken to correct such discriminatory action after it has been originated.
3. "Discrimination" is any action, as referred to above.
4. "Protection of Minorities" is the protection (as defined above) of groups or individuals against discriminatory action (as defined above).
5. Differential treatment of such groups or individuals is justified when it is exercised in their interest and the welfare of the community as a whole.
6. "Protection", as defined, can be claimed only on the basis of allegiance to the Government against which such protection is claimed.
7. The term "minority" in the above contexts has no necessary numerical significance, but connotes an unequal discriminatory status.