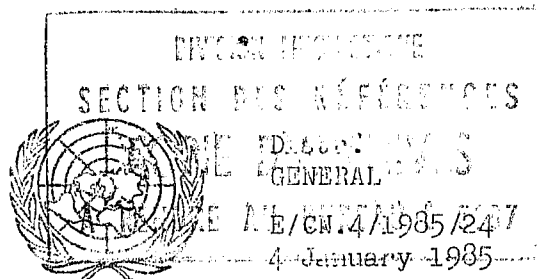


# UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL



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SPANISH

COMMISSION ON HUMAN RIGHTS  
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Item 20 of the provisional agenda

## RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

### Note by the Secretariat

1. Paragraph 31 of the report of the open-ended Working Group established by the Commission on Human Rights at its thirty-ninth session (E/CN.4/1983/66) recommended that Governments should be requested, through the Commission, to provide concrete proposals regarding articles 1 to 6 of the draft declaration submitted by Yugoslavia. Comments received from Governments in accordance with this request, have been submitted to the Commission at its fortieth session in a note by the Secretariat (E/CN.4/1984/42 and Add.1 and 2).
2. The present document contains replies from the Governments of Barbados and Venezuela, which were received afterwards.

BARBADOS

[Original: English]

[22 March 1984]

Draft articles 1, 2, 3 and 6 of the draft declaration deal with those fundamental rights which are already protected by the Constitution of Barbados.

Section II of the Constitution of Barbados states inter alia -

"Whereas every person in Barbados is entitled to the fundamental rights and freedoms of the individual, that is to say the right; whatever his race, place of origin, political opinions, colour, creed or sex but subject to the respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely -

- (a) life, liberty and security of the person;
- (b) protection for the privacy of his home and other property and from deprivation of property without compensation;
- (c) the protection of law; and
- (d) freedom of conscience, of expression and of assembly and association."

The other two draft Articles (i.e. 4 and 5) require the establishment of contact between States as a means of ensuring the protection of these fundamental rights.

There is no objection to the other draft Articles which are already contained in the Constitution of Barbados.

VENEZUELA

[Original: SPANISH]

[26 April 1984]

With regard to the matter under consideration, the relevant body has declared that it accepts the proposals contained in the declaration in question, stating that it considers them of vital importance for the over-all development of those among us who could be considered as constituting a national ethnic minority with their own special characteristics, such as religious beliefs, a clearly defined cultural identity and their own language.

In Venezuela, there are no other types or groups of persons who might be categorized as "minorities", since the country enjoys a regime of freedoms deriving from the Constitution of the Republic, the provisions of which assure all residents, whether nationals or not, of the exercise of all rights - social, economic and even political, although the latter are subject to the limitations stipulated by law - so that all citizens may participate in all aspects of democratic life.

All of the above is embodied in the preamble to the National Constitution, ratified in January 1961, which sets forth, inter alia, as fundamental principles "protecting and uplifting labour, upholding human dignity, promoting the general well being and social security ... maintaining social and legal equality, without discrimination on grounds of race, sex, creed or social condition". Other rights have been also recognized in subsequent legal instruments, thus enabling us to be a nation in which social, racial or religious differences do not exist.

However, as a member in good standing of the international community, where it is currently regarded as one of the regions of the world where human rights are most fully observed, Venezuela is obligated to point out that it is aware of the proliferation in some countries - many of them regarded as third world or developing countries - of minority groups whose most fundamental rights, namely those inherent in their status as human persons, are violated or undermined, thus giving rise to discrimination in matters of race, sex, religion, language, and so on.

A close examination of the articles submitted for consideration leads to the conclusion that they embody clearly the objectives of the Working Group on the preparation of the declaration in question. However, some comments appear called for on individual articles:

#### Article 1

In this case, the Bulgarian proposal appears reasonable, in that it is sufficiently broad. However, consideration might be given to the possibility of including the following words, with a view to covering full recognition of all the rights of these citizens: "and to participate in the over-all development of the society of which they are members, so that they may gradually become integrated into it, if they so wish".

The article might then read as follows:

"Persons belonging to ethnic, religious and linguistic minorities have the right to life, liberty and security of person; to equality before the law; to respect for their identity; to enjoy their own culture; to profess and practise their own religion; to retain their own language and to participate in the over-all development of the society of which they are members, so that they may gradually become integrated into it, if they so wish, without any discrimination as to origin, together with the rest of the population of the States in which such minorities exist".

#### Article 2

In this article, only the word "existence" should be deleted and replaced by the word "life" to be consistent with the wording of article 1. Consequently, we support the wording proposed by the Ukrainian Soviet Socialist Republic.

We are completely in agreement with the wording of articles 3, 4 and 5 which cover fundamental aspects of the problems currently confronting these minorities throughout the world.

#### Article 6

Finally, it is suggested that the following should be added at the end of this article "for which purpose they shall promote the acquisition of the material resources required for the implementation of policies designed to achieve the realization and practical verification of the principles proclaimed in this Declaration".