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COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

Sixteenth Session

SUMMARY RECORD OF THE FOUR HUNDRED AND FIFTH MEETING

Held at Headquarters, New York,  
on Monday, 13 January 1964, at 11.30 a.m.

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PRESENT:

<u>Acting Chairman:</u>	Mr. KRISHNASWAMI	(India)
<u>Chairman:</u>	Mr. SANTA CRUZ	(Chile)
<u>Rapporteur:</u>	Mr. CAPOTORTI	(Italy)
<u>Members:</u>	Mr. ABRAM	(United States of America)
	Mr. CALVOCRESSI	(United Kingdom of Great Britain and Northern Ireland)
	Mr. CUEVAS CANCELO	(Mexico)
	Mr. IVANOV	(Union of Soviet Socialist Republics)
	Mr. KETRZYNSKI	(Poland)
	Mr. MATSCH	(Austria)
	Mr. MUDAWI	(Sudan)
	Mr. SAARIO	(Finland)
<u>Observers from Member States:</u>		
	Mr. ROBICHAUD	Canada
	Mr. LEMA	Congo (Leopoldville)
	Mr. S.K. SINGH	India
	Mr. BARRAMI	Israel
	Mr. HAAPVELD	Netherlands
	Mrs. NASON	United States of America
<u>Representatives of specialized agencies:</u>		
	Mr. FARMAN-FARMAIAN	International Labour Organisation
	Mr. SALSAMENDI	United Nations Educational, Scientific and Cultural Organization
<u>Secretariat:</u>	Mr. HUMPHREY	Director, Division of Human Rights
	Mr. LAWSON	Secretary of the Sub-Commission

## ELECTION OF OFFICERS

The ACTING CHAIRMAN nominated Mr. Santa Cruz as Chairman, Mr. Saario as Vice-Chairman and Mr. Capotorti as Rapporteur.

Mr. KETRZYNSKI and Mr. ABRAM supported the nomination.

Mr. IVANOV also supported the nomination and commended the officers of the preceding session for their valuable contribution to the Sub-Commission's work.

Mr. Santa Cruz was elected Chairman by acclamation.

Mr. Saario was elected Vice-Chairman by acclamation.

Mr. Capotorti was elected Rapporteur by acclamation.

Mr. Santa Cruz took the Chair.

The CHAIRMAN welcomed the new members of the Sub-Commission and paid a tribute to the memory of Mr. Halpern, a former member, who had recently died.

## ADOPTION OF THE AGENDA (E/CN.4/Sub.2/230/Rev.1)

The CHAIRMAN stressed that the items to be discussed were particularly important at a time when the struggle against discrimination constituted the primary concern of all mankind. The Sub-Commission must help to intensify that struggle.

He drew attention to agenda item 12, which had been added in pursuance of Economic and Social Council resolution 888 B (XXXIV), paragraph 11.

Mr. KETRZYNSKI, supported by Mr. CALVOCORESSI, proposed that the revised provisional agenda (E/CN.4/Sub.2/230/Rev.1) should be adopted as it stood.

The agenda was adopted.

## ORGANIZATION OF WORK

Mr. ABRAM said that two of the projects before the Sub-Commission were of vital importance and should at all costs be completed at the current session: the draft convention on the elimination of all forms of racial discrimination and the draft declaration on the elimination of all forms of religious intolerance.

(Mr. Abram)

Racial, religious and ethnic intolerance were in many ways inseparable and it was the responsibility of the United Nations to work towards their total eradication.

Although the General Assembly, at its eighteenth session, had requested the Commission on Human Rights, taking into account the views of the Sub-Commission, to give absolute priority to the preparation of a draft international convention on the elimination of racial discrimination on the merits of the case, it would be difficult to assign a higher priority to that task than to the drafting of a declaration on the elimination of religious intolerance. Moreover, as the United Kingdom representative had pointed out in the Assembly, the Commission on Human Rights was in default on the Assembly's earlier request, which had never been withdrawn, to prepare such a draft declaration in time for the eighteenth session. The Sub-Commission should recognize its responsibilities in respect of both items and should complete its work on both. It might wish to expedite that work by establishing two working parties of the whole Sub-Commission which would meet alternately. For his own part, he was prepared to set aside parochial issues and national interest and to contribute constructively to the elaboration of acceptable texts on both items which would promote the rights of peoples everywhere.

Mr. KRISHNASWAMI suggested that each item should be discussed fully in a general debate before working parties were established.

Mr. IVANOV also favoured a full debate on each item taken separately. The Sub-Commission should complete the work of drafting a convention on the elimination of all forms of racial discrimination as its first order of business, using as basis the Declaration on the subject adopted by the General Assembly. Having produced an acceptable text of a convention, the Sub-Commission should then concentrate its attention on the drafting of a declaration on the elimination of religious intolerance. If any time remained after the completion of those two items, it should consider the remaining questions on its agenda.

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Mr. CAPOTORI said that experience had shown that the Sub-Commission could most effectively express its views on the two items under consideration by drafting preliminary texts in which emphasis would be placed more on substance than on precise formulations.

Mr. MUDAWI supported that view and added that precise formulations should be the task of a small committee and not of the whole Sub-Commission.

Mr. MATSCH also shared that opinion. It would be recalled that both the Commission on Human Rights and the Third Committee of the General Assembly had made extensive changes in the draft on the elimination of racial discrimination submitted by the Sub-Commission. Indeed, before starting work on the text of a draft convention on the subject, the Sub-Commission should have before it all the relevant documentation, including General Assembly resolutions 1904 (XVIII) and 1906 (XVIII). Following a general debate on the question, it should constitute a working group to draft a text based on the actual terms of the Declaration and request the Secretariat to provide the standard clauses for inclusion in that text. The identical procedure should be adopted with respect to the item on the elimination of religious intolerance.

Mr. SAARIO emphasized that the best way to convey the Sub-Commission's views to the Commission on Human Rights was by unanimous adoption of two texts.

Mr. CUEVAS CANCINO fully endorsed Mr. Matsch's remarks. It was clear from the discussion in the Third Committee that the vast majority of delegations considered it indispensable for the General Assembly to have a draft convention on the elimination of racial discrimination before it at the nineteenth session. It should also be noted that while drastic changes were made in the Sub-Commission's preliminary draft of a declaration, that document had proved to be of inestimable value.

Mr. IVANOV said that extensive changes in the drafts submitted by the Sub-Commission were to be expected as part of the natural process whereby important documents were produced in the United Nations.

The CHAIRMAN remarked that it had been the Sub-Commission's practice to establish informal working groups in which all members who so desired could participate. He requested members to prepare preliminary texts which might serve as a basis of discussion in the two working groups.

In reply to a suggestion from Mr. CALVOCORESSI, the CHAIRMAN said that there seemed to be no objection in principle to initiating on the following Monday the general debate on the item concerning the elimination of religious intolerance.

The meeting rose at 12.30 p.m.