

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/Sub.2/SR.212
31 July 1957

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION
AND PROTECTION OF MINORITIES

Ninth Session

SUMMARY RECORD OF THE TWO HUNDRED AND TWELFTH MEETING

Held at Headquarters, New York
on Friday, 1 March 1957, at 3.15 p.m.

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Study of discrimination in education (E/CN.4/Sub.2/181 and Corr.1,
E/CN.4/Sub.2/184, E/CN.4/Sub.2/L.103, L.106/Rev.1, L.109, L.114,
L.115) (continued)

PRESENT:

Chairman:

Mr. AWAD (Egypt)

Rapporteur:

Mr. INGLES (Philippines)

Members:

Mr. AMMOUN (Lebanon)

Mr. CHATENET (France)

Mr. FOMIN (Union of Soviet
Socialist Republics)

Mr. HALPERN (United States
of America)

Mr. HISCOCKS (United Kingdom of
Great Britain and
Northern Ireland)

Mr. KETRZYNSKI (Poland)

Mr. ROY (Haiti)

Mr. SAARIO (Finland)

Mr. SANTA CRUZ (Chile)

Representatives of specialized agencies:

Mr. SNYDER International Labour
Organisation

Mr. MAHEU United Nations
Educational,
Scientific and
Cultural
Organization

Representatives of non-governmental organizations:

Category A:

Mr. THORMANN

International
Federation of
Christian Trade
Unions

Miss KAHN

World Federation of
Trade Unions

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Representatives of non-governmental organizations (continued):

Category B and Register:

Mr. LISKOFKY	Consultative Council of Jewish Organizations
Mrs. HIRSCHMAN) Miss SMITH)	International Federation of Women Lawyers
Mrs. ROITBURD	International League for the Rights of Man
Miss ROBB	Liaison Committee of Women's International Organizations
Miss BAKER	Women's International League for Peace and Freedom
Mr. JACOBY	World Jewish Congress
Mr. FENCE	World Alliance of Young Men's Christian Associations
Mr. PERLZWEIG	World Assembly of Youth
Miss SCHAEFER	World Union of Catholic Women's Organizations

Secretariat:

Mr. HUMPHREY	Director, Division of Human Rights
Mr. LAWSON	Secretary of the Sub-Commission

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STUDY OF DISCRIMINATION IN EDUCATION (E/CN.4/Sub.2/181 and Corr.1, E/CN.4/Sub.2/184, E/CN.4/Sub.2/L.103, L.106/Rev.1, L.109, L.114, L.115) (continued)

The CHAIRMAN invited the Sub-Commission to continue its consideration of the revised draft resolution on the study of discrimination in education (E/CN.4/Sub.2/L.106/Rev.1).

Paragraph 7 (b) (1)

Mr. HALPERN remarked that it was illogical to list successively sociology, anthropology, and national and international welfare as if they fell into similar categories. Moreover, the reference to national and international welfare gave the impression that the campaign to enlighten the public was to be conducted largely by Governments, which was not the intention. He therefore suggested that the first sentence should be amended to begin, "Efforts should be made to enlighten the public", and that the second sentence should read: "Publicity should be given to recent thinking in the social sciences which conforms with the Universal Declaration of Human Rights".

Mr. MAHEU (United Nations Educational, Scientific and Cultural Organization) agreed that it would be better to make no reference to national and international welfare, since scientific research should be entirely objective and serve only the ends of truth, whether or not they happened to coincide with national or international interests. He was also troubled by the suggestion that the findings of science must coincide with the principles of the Declaration; science should be free to follow its own course, and the effect on the public would be all the stronger if scientists independently reached conclusions which confirmed the ideas in the Declaration.

Mr. AMMOUN pointed out that the paragraph dealt with propaganda. The Sub-Commission could hardly be expected to urge the dissemination of ideas or theories which were not in conformity with the Declaration.

He accepted Mr. Halpern's amendment to the first sentence.

Mr. HISCOCKS also accepted that amendment, but suggested that the second sentence should read merely: "Publicity should be given to recent thinking on the subject which conforms to the Universal Declaration of Human Rights". The reference to welfare would then be omitted, for the reasons given by Mr. Maheu, and the text would be more comprehensive than Mr. Halpern's version, since the words "social sciences" obviously left out philosophy, religion and ethics, which were also germane.

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Mr. HALPERN withdrew his amendment to the second sentence in favour of Mr. Hiscocks' text.

Paragraph 7 (1) (1) of document E/CN.4/Sub.2/L.106/Rev.1, as amended by Mr. Halpern and Mr. Hiscocks, was adopted by 4 votes to 2, with 4 abstentions.

Paragraph 7 (b) (2)

Mr. HALPERN proposed that the words "the latter being of special importance" should be deleted because they obscured the text.

Mr. INGLES proposed that the words "In this campaign" should be replaced by "To this end", to bring the text in line with the preceding paragraph as amended.

Those amendments were adopted.

Paragraph 7 (b) (2) of document E/CN.4/Sub.2/L.106/Rev.1, as amended, was adopted.

Paragraph 7 (c) (1)

Mr. HALPERN felt that the paragraph as it stood was weak and repetitious. He would prefer it to be addressed to the school authorities, of both public and private schools, to indicate that the Sub-Commission relied on them to apply the principles it had endorsed.

Mr. HISCOCKS agreed with that view. The meaning of the clause was already covered by the words "administrative ... steps" in paragraph 7 (a) (1).

Mr. AMMOUN said he failed to see the need for such a change; it was obvious that the measures in question would have to be taken by those entitled to take them but a listing of the various competent authorities would be entirely out of place.

After some discussion, the CHAIRMAN suggested that the paragraph might read: "All necessary steps should be taken by the appropriate authorities to eliminate discriminatory practices within the schools, in accordance with the principles set forth above".

Mr. AMMOUN stated that he would abstain on that text.

Paragraph 7 (c) (1) of document E/CN.4/Sub.2/L.106/Rev.1 was adopted in the form suggested by the Chairman.

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Paragraph 7 (c) (2)

Mr. HALPERN thought the Sub-Commission should refer to its own principles which were an elaboration of the Declaration, rather than to the Declaration itself also, there was no need to single out racial discrimination, since other types of discrimination were equally iniquitous.

After some discussion, the CHAIRMAN suggested the following wording: "Efforts should be made in the teaching profession with a view to the strict application of the principles set forth above. Documentation on the subject should be made available to all teachers".

The text suggested by the Chairman was adopted by 7 votes to none, with no abstentions.

Paragraph 7 (c) (3)

Mr. HISCOCKS suggested that the word "reviewed" should be replaced by "examined", to conform to the French text.

Mr. FOMIN requested that the vote should be taken on the French text of the paragraph, which was satisfactory.

The French text of paragraph 7 (c) (3) of document E/CN.4/Sub.2/L.106/Rev.1 was adopted by 7 votes to none, with 1 abstention.

Paragraph 7 (c) (4)

Paragraph 7 (c) (4) of document E/CN.4/Sub.2/L.106/Rev.1 was adopted.

Paragraph 7 (c) (5)

Mr. SAARIO said the phrase "the hunger for knowledge" should be deleted; it was too poetic and lacking in the objectivity which should characterize the Sub-Commission's resolution.

Mr. AMMOUN disagreed with that criticism; the desire for knowledge in the under-developed countries was very powerful and should receive due acknowledgement.

Mr. FOMIN said that paragraph 7 (c) (5) should be placed in the section relating to international measures, as it had been in Mr. Ammoun's original draft (E/CN.4/Sub.2/181, paragraph 761, section B 2 (d)).

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Mr. HALPERN agreed in substance with Mr. Fomin that Mr. Ammoun's original draft was better. In order to put the appeal to universities on a broader basis, he proposed that the words "by Governments" should be omitted.

Mr. HISCOCKS suggested the addition of a separate clause emphasizing the desirability of assistance from universities in advanced countries to the under-developed areas. He thought that the point might be mentioned twice, first in the section relating to national measures and again in that relating to international measures.

The CHAIRMAN pointed out that some universities were independent of Government control, whereas others were controlled directly by the Government. He considered the word "Governments" essential.

Mr. HALPERN said that the phrase "encouraged by Governments" was too narrow; the resolution would be strengthened if all reference to Governments was omitted. He also thought that the reference to "private foundations" in Mr. Ammoun's original text should be retained and that the phrase "modern techniques" should be replaced by "modern institutions".

He added that the whole sub-paragraph had little to do with the subject of discrimination in education and should perhaps be omitted altogether.

Mr. KETRZYNSKI disagreed with Mr. Halpern's suggestion that the passage was irrelevant to the problem of discrimination in education. It was clearly necessary to create an intellectual atmosphere throughout the world conducive to the fight against discrimination, and that could best be done through educational institutions.

Mr. SAARIO proposed that paragraph 7 (c) (5) should be transferred to the section concerning international measures.

Mr. Saario's proposal was adopted by 7 votes to none, with 2 abstentions.

Mr. HISCOCKS suggested that paragraph 7 (c) (5) should be inserted between paragraphs 10 and 11.

It was so agreed.

Mr. HALPERN with Mr. AMMOUN'S support, proposed the addition of the words "and private foundations" to follow the word "universities".

Mr. HISCOCKS asked for a separate vote on the phrase "by Governments". He proposed that the text should read: "universities, private foundations and educational organizations". He considered it important to include the word "educational".
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The CHAIRMAN said that the paragraph should retain the reference to Governments, for Governments were taking an increasing part in improving education on an international scale. He cited examples of assistance provided by Governments for foreign students and institutions.

The meeting was suspended at 5.20 p.m. and resumed at 5.30 p.m.

The CHAIRMAN said that paragraph 7 (c) (5) would be redrafted and would be considered later in connexion with the paragraphs dealing with international measures.

Paragraphs 8 and 9

Mr. FOMIN, supported by Mr. SAARIO proposed that paragraph 9 should be combined with paragraph 8.

It was so agreed.

Mr. HISCOCKS proposed that the phrase "a part of such international funds" in paragraph 8 should be amended to read "as high a proportion as possible of such international funds" and that the phrase "including those intended to promote" should be expanded to read "including those at the disposal of UNESCO and those intended to promote".

The changes proposed by Mr. Hiscocks were agreed to.

Paragraph 8, as amended, was adopted.

Mr. AMMOUN said that since the majority of the Sub-Commission appeared to be opposed to his alternative draft of paragraph 9, concerning the establishment of an international fund, he would withdraw it. However, he wished to state for the record that he still preferred his alternative.

New paragraph 9

The CHAIRMAN said that the paragraph relating to assistance to under-developed areas had been redrafted in the following terms (new paragraph 9):

"9. Requests all Governments, and encourages universities, private foundations and all other educational organizations in the advanced countries to further, either directly by their efforts or through the specialized agencies or other organizations of international co-operation, the development of modern sciences and techniques in under-developed areas of the world with a view to eliminating discrimination in education within such areas."

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Mr. INGLES proposed that in the concluding phrase the word "eliminating" should be replaced by the words: "improving their educational facilities and thereby contributing to the elimination of".

The amendment was adopted.

Paragraph 9, as amended, was adopted.

Paragraph 10

Mr. MAHEU (United Nations Educational, Scientific and Cultural Organization) said that UNESCO was both able and willing to organize the three types of seminars referred to in paragraph 10.

The CHAIRMAN suggested that in paragraph 10 (a) the term "South American" should be replaced by "Latin American" and the concluding word "peoples" by "population".

The changes were agreed to.

Mr. HALPERN said that an urban population could be contrasted only with a rural one, while the text opposed "urban" to "rural and indigenous"; yet, some indigenous inhabitants could be urban dwellers. He suggested that a better expression would be "rural, chiefly indigenous, population".

Mr. MAHEU (United Nations Educational, Scientific and Cultural Organization) said that in fact, in Latin America, rural inhabitants were usually also indigenous; the expression criticized by Mr. Halpern, although somewhat illogical, corresponded to a real situation.

Mr. Halpern's suggested change was agreed to.

Sub-paragraph 10 (a), as amended, was adopted.

The CHAIRMAN suggested that in sub-paragraph 10 (b) the term "fixed" should be replaced by "sedentary" and the concluding words "nomadic and rural populations" by "nomadic population and between the education offered its rural and its urban sections of the population".

The changes were agreed to.

Sub-paragraph 10 (b), as amended, was adopted.

Mr. FOMIN proposed that the words "in advancing education within its own territory and" should be introduced immediately after the word "successful" in sub-paragraph 10 (c). It was desirable that the seminar should be held in a country which had been successful not only in establishing a programme for its

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(Mr. Fomin)

advanced students to pursue their studies abroad, but also in advancing education within the country itself.

Mr. HALPERN proposed the addition at the end of sub-paragraph 10 (c) of the words "thereby helping to eliminate discrimination in education within the under-developed countries". It was necessary to emphasize that the purpose of seminars was to eliminate discrimination, and not simply to further the cause of education in general.

Mr. Fomin's amendment was adopted.

Mr. Halpern's amendment was adopted.

Sub-paragraph 10 (c), as amended, was adopted.

Paragraph 10 as a whole, as amended, was adopted.

Paragraph 11

Mr. HALPERN said the purpose of paragraph 11 (E/CN.4/Sub.2/L.106/Rev.1) was to obtain periodic reports which could be studied by a special rapporteur; comments could be invited and a supplementary study could be prepared after three years in the same manner as the report now before the Sub-Commission.

He proposed that the periodic reports in question should be timed to coincide with the future reports on human rights under Council resolution 624 B (XXII). Paragraph 11 should be amended to read:

"Requests each State Member of the United Nations and of the specialized agencies to submit, at the time when it submits its future reports under the programme of periodic reports under Economic and Social Council resolution 624 B (XXII), a report describing developments and progress achieved in the elimination and prevention of discrimination in education, in accordance with the principles of the Universal Declaration of Human Rights and the statement of fundamental principles affirmed in this resolution."

The purpose of the words "future reports" was to exclude the reports on human rights due on 1 July 1957, which were to be placed before the Commission on Human Rights at its 1958 session. The intention was to synchronize the two sets of reports as from the subsequent triennial report on human rights under resolution 624 B (XXII)

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Mr. FOMIN said he could not agree that the obligation to report should be limited to Member States of the United Nations and of the specialized agencies. Other countries ought to have been included.

Mr. KETRZYNSKI supported Mr. Fomin.

Mr. Halpern's amendment was adopted.

Paragraph 11, as amended, was adopted by 10 votes to none, with 1 abstention.

The CHAIRMAN drew attention to the two amendments (E/CN.4/Sub.2/L.114 and E/CN.4/Sub.2/L.115) relating to a proposed new paragraph to be inserted before the final operative paragraph of the Sub-Commission's draft resolution.

Mr. KETRZYNSKI said that, as sponsor of the amendment contained in document E/CN.4/Sub.2/L.114, he accepted Mr. Ingles' sub-amendment (E/CN.4/Sub.2/L.115).

Mr. HISCOCKS proposed that the Sub-Commission should decide to treat Mr. Ketrzynski's text not as an amendment but as a separate draft resolution.

If that text were treated as an amendment and adopted, he (the speaker) would be obliged to abstain in the vote on the draft resolution as a whole, a step which he would very much regret, being otherwise in full agreement with the draft resolution.

Mr. KETRZYNSKI said he regretted that he was unable to accept Mr. Hiscocks' proposal.

Mr. FOMIN said he saw no reason for resorting to the somewhat unusual procedure proposed by Mr. Hiscocks. Mr. Ketrzynski's amendment had to be treated like any other amendment.

After a brief discussion, Mr. SANTA CRUZ moved the adjournment of the meeting.

The motion was rejected by 5 votes to 4, with 2 abstentions.

Mr. ROY said that Mr. Ketrzynski's proposal amounted in effect to a request to the Commission on Human Rights to reconsider a proposal contained in the second part of Mr. Chatenet's amendment (E/CN.4/Sub.2/L.110), a part which the Sub-Commission had rejected at its 207th meeting (E/CN.4/Sub.2/SR.207, p. 7).

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(Mr. Roy)

Such a proposal for reconsideration would necessitate a special decision; it could not be entertained in the form of an amendment to the main draft resolution.

After a discussion, Mr. ROY proposed the closure of the debate.

Mr. CHATENET supported Mr. Roy's proposal.

Mr. Roy's proposal was adopted.

The CHAIRMAN called for a vote on the proposal made by Mr. Hiscocks that Mr. Ketrzynski's amendment (E/CN.4/Sub.2/L.114) should be considered a separate draft resolution.

Mr. Hiscocks' proposal was adopted by 7 votes to 1, with 3 abstentions.

The meeting rose at 7.15 p.m.