

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL

E/CN.4/760/Add.4  
21 February 1958

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS  
Fourteenth session  
Item 4 of provisional agenda

STUDY ON DISCRIMINATION IN EDUCATION

Note by the Secretary-General

Pursuant to Economic and Social Council resolution 651 G (XXIV), the Secretary-General has the honour to submit to the Commission on Human Rights the following additional observations and suggestions of Governments concerning proposals by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities relating to the study on discrimination in education prepared by the Special Rapporteur of the Sub-Commission:

POLAND

Item 4.II(4). We suggest the following wording:

"Respect should be paid to the freedom of parents and, when applicable, legal guardians, to choose for their children the kind of scholastic institutions suitable for them."

The formulation in the Resolution is based on the assumption of the existence of private schools whose curricula differ from those laid down in respective government regulations.

In view of the fact that free, general and compulsory primary school education is obligatory in Poland, and that free scholastic education of all types and all levels is available to all citizens - the Government of the Polish People's Republic proposes the above wording specifying at the same time that it does not exclude any possible maintenance of private schools differing in their curriculum from the general regulations if and when the legislation of a given country provides for the existence of such schools.

Item 4.II(5). "No person or distinct group of persons should be compelled to receive religious or non-religious instruction inconsistent with his or their convictions. Respect should also be paid to the freedom of parents and, when applicable, legal guardians, to ensure the religious or non-religious education of their children in conformity with their own convictions."

The above formulation is, in our opinion, closer to the principle of tolerance than the text of the resolution, because it ensures to persons as well as national minorities and other social groups of persons the freedom to give religious or non-religious instruction, and it applies the same principle so far as regards the instruction and education of children - a fact which had not been clearly defined in the text (sentence two of item 5 referring solely to the freedom of giving children a religious instruction and omitting non-religious instruction).

Item 4.II(9). We suggest the wording:

"Distinct nationality groups should be ensured the possibility of getting scholastic instruction in their native language, and if this is not feasible due to organizational conditions, they should be ensured instruction of their native language in school. Such groups should have a right to their own cultural and educational activities and to use their own native language."

In Poland all schools are Government operated and acceptance of the Sub-Commission's version would be in contradiction to the regulations in force. We therefore deem it necessary that this item be amended in order to take into account conditions such as those described above, allowing at the same time for the maintenance of private minorities schools in countries whose legislation admits this type of scholastic institutions.

On the other hand, the provision which makes the cultural and educational activities of minorities conditional upon their "not constituting a menace to the independence of the country where they live" is superfluous.

Resolution B.

We support the idea of the drafting and adoption of a separate international convention for the prevention of discrimination in education.

-----