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Chairman: Mr. Nemi Chandra KASLIWAL
(India).

AGENDA ITEM 48

Manifestations of racial prejudice and national and religious intolerance (A/5129, A/C.3/L.1006/Rev.2, A/C.3/L.1008)
(continued)

GENERAL DEBATE (continued)

1. Mr. EBAKISSE (Cameroon) said that manifestations of discrimination, whatever their basis, were not only a violation of the Charter of the United Nations and the Universal Declaration of Human Rights but also a betrayal of human dignity. In Cameroon the peaceful coexistence of communities was no myth: it could be achieved, given respect for the equality and dignity of men, and was an essential condition both for human progress and for peace. His delegation, convinced that an international convention on the elimination of all forms of racial discrimination would serve the cause of which the United Nations had become the champion, namely, peace, would support the revised draft resolution on that subject (A/C.3/L.1006/Rev.2) and asked to be added to the list of sponsors.

2. Mr. SITA (Congo, Leopoldville) in general supported Economic and Social Council resolution 826 B (XXXII) and the revised draft resolution before the Committee but did not want to commit himself lightly on vague general texts. He might therefore submit an amendment making the Council's recommendation more explicit. He thought that the revised draft resolution was not entirely realistic. His delegation would prefer a number of specific measures aimed at abolishing discrimination to a universal convention which might remain a dead letter and would be subject to various interpretations. An international instrument must mean action, not suggestions for action; before an end was formulated the means to attain it must be considered.

3. Mr. BAROODY (Saudi Arabia), while acknowledging the praiseworthy intention underlying the draft resolution proposed by the Economic and Social Council and the note by the Secretary-General (A/5129), found that the latter repeated, in good faith, terms wrongly used by other bodies. Anti-Semitism was a misnomer; the real Semites were the Arabs, and the Jews properly so-called represented hardly 2 per cent of what could be termed the Semitic race. Reference should be made to either the anti-Zionist or the

anti-Jewish movement and care must be taken not to confuse the two. The former indisputably existed in the region to which Saudi Arabia belonged and the latter, which was deplorable, was still in evidence here and there throughout the world.

4. Unlike the draft resolution proposed by the Council, which was aimed against discrimination based on race, nationality or religion, the revised draft resolution was directed solely, according to its title, against racial discrimination; yet in the first preambular paragraph race, colour and religion were mentioned. He was not sure that a distinction should be made between race and colour; in any case, religion should not appear in a text dealing solely with racial discrimination. Nor must it be forgotten that, apart from the great religions which had stood the test of time, there were in the world all kinds of sects, professing what might be called beliefs, not to mention atheism and various philosophic doctrines. The word "religion" should therefore not appear in the draft without the further word "belief", and even then the use of those terms might present difficulties for many delegations and cause confusion in the future.

5. Whatever its nature, discrimination was rooted in human greed and love of power and glory; it would exist even if there were no different nationalities or races. The historical origin of racial discrimination was simply the exploitation of man by man in the colonial territories, most of which were inhabited by people who did not belong to the white race.

6. Some countries, such as Brazil, commanded universal respect for their complete freedom from prejudices based on the origin of their inhabitants. The same applied to the Islamic world, which had completely assimilated Christians and Jews. Unfortunately, religion could be used as a pretext for the birth of political movements, as the United Nations itself had shown by establishing within Islam a State which was a dangerous political weapon. The various ideologies which in many countries had displaced religion could equally serve as a pretext for discrimination. Those were further reasons for not mentioning, in a draft calling for the preparation of an international convention, such terms as "religion", "belief" and "ideology", which could lead to abuse.

7. He feared that it was premature to draft a convention on the elimination of racial discrimination, and in any case pointless, for the notion of race had in fact little to do with discrimination, which was based rather on prejudice, tradition and custom. A legislative text—even on the very doubtful assumption that it would be ratified by all States—would not suffice to eliminate prejudices and traditions. However, much progress had been made in the past ten years and it would undoubtedly continue, whereas the preparation of a convention might revive the emotions of the past.

8. Lastly, the most effective way of abolishing discrimination was undoubtedly to educate public opinion, particularly that of young people.

9. He therefore believed it would be more constructive at present to formulate the principles for a declaration on the elimination of racial discrimination, to ask Governments for their comments on the advisability of preparing a convention and, above all, to request UNESCO to make still greater efforts to remove prejudices among young people, by means of education.

10. He would be glad to support the revised draft resolution regarding a convention on the elimination of racial discrimination if it was amended along the lines he had indicated.

11. Mr. PICO (Argentina) stated that, faithful to the attitude his delegation had always adopted when the question of racial discrimination had been discussed in international organizations, he would unreservedly support the revised draft resolution before the Committee. Quite recently, in the Special Political Committee, Argentina had supported a proposal for joint action by Member States with a view to the adoption of measures for ending racial discrimination. That position was in line with the national tradition, for there was no discrimination in Argentina in any form whatsoever.

12. Nevertheless, manifestations of anti-Semitism had recently occurred in Argentina as in a number of other countries, as the Israel representative had mentioned (1165th meeting). The World Jewish Congress had been concerned about them and they had aroused public anxiety, which had been somewhat exaggerated because they had been considered outside the national context.

13. In that connexion he recalled that his country sheltered one of the largest Jewish communities in the world, consisting of nearly half a million persons. Like the other foreign groups settled in Argentina, the Jewish community enjoyed full civil rights. The Jews participated freely in the life of the country. They had made a valuable contribution to national development in education, business, public administration, industry and politics, and often held responsible posts. Moreover, the Argentine Constitution and the penal code made no distinction between the different categories of Argentine citizens. The legislation concerning aliens established in Argentina was highly equalitarian. The foreign communities could publish their own newspapers, practise their religion freely and exercise all civil liberties.

14. However, as in every country where communities of different national, or racial origins or religious beliefs lived side by side, tension sometimes developed between the communities and led to regrettable incidents. It was only recently that Argentina had been the scene of sporadic racial manifestations, and those had been the work of insignificant groups. Their importance should therefore not be exaggerated. In any case they had aroused such unanimous indignation on the part of the Argentine people and Government that many leading personalities had met to draw up a document strongly condemning anti-Semitism. The document called anti-Semitism a manifestation of negative forces capable of impeding a country's development, revealing the presence of social misfits whose action in the political and social fields increased existing tensions and prevented democracy from developing harmoniously. The anti-Semitic manifestations which

had taken place in Argentina should not be looked at too pessimistically. The Argentine Jewish associations themselves were convinced that there was no room in Argentina for manifestations inconsistent with respect for human dignity, which was the very foundation of a free and democratic nation.

15. Mr. DIAZ CASANUEVA (Chile) said he would confine himself to a few remarks on the revised draft resolution regarding a convention on the elimination of racial discrimination. He entirely approved of its spirit, but wished to draw attention to certain technical and legal difficulties that the delegations concerned should bear in mind. He thought that in operative paragraph 2, after the words "the Sub-Commission on Prevention of Discrimination and Protection of Minorities", the words "and the specialized agencies" should be inserted, and that the words "a draft convention" should be replaced by the words "draft conventions". He did not think, in fact, that only one convention should be drafted on the elimination of racial discrimination.

16. The general principle of non-discrimination was already stated in Article 1, paragraph 3, of the Charter of the United Nations and article 2 of the Universal Declaration of Human Rights. Those two documents were regarded as binding by most States, but not by all. If, however, it was decided to draft a convention stating the principle of non-discrimination in general terms such action would be an implicit admission that a convention was necessary to make the relevant provisions of the Charter and the Universal Declaration binding. Hence such action would buttress the view of those few States which held that the Charter and the Universal Declaration were not binding and which took refuge behind that argument to apply a policy of racial discrimination. In recognizing implicitly the validity of their view the Committee would be giving them a free hand to intensify their policy of racial discrimination. That was certainly not the intention of the Third Committee or of the sponsors of the draft resolution. Since the Charter was basically an international convention imposing legal obligations on Member States, any decision to draft a convention inspired by one of the principles contained in the Charter should be taken with a precise object in view which justified a new convention. The principle of racial non-discrimination affected many different fields and consequently conventions should be drafted for each of the fields in question. That was why not only the Sub-Commission on Prevention of Discrimination but also the specialized agencies should be requested to prepare drafts relating to the matters coming within their respective spheres of competence. Experience showed that that would be a more effective method.

17. Mrs. COCEA-BREDICEANU (Romania) recalled that at its fifteenth session the General Assembly had adopted resolution 1510 (XV) condemning discrimination in all its forms and calling upon States to take all necessary measures to prevent all manifestation of racial, religious and national hatred, without, however, specifying what those measures should be. She stressed that the resolution was entitled "Manifestations of racial and national hatred", whereas Economic and Social Council resolution 826 B (XXXII) submitted to the Third Committee was entitled "Manifestations of racial prejudice and national and religious intolerance". Perhaps the problem was defined rather narrowly in the second case. Could mass executions, for example, be regarded as manifestations of racial

prejudice? In the opinion of her delegation it would be more accurate to call them manifestations of hatred. When those manifestations were based on legislation, were they due to mere intolerance? In fact it was a question of outright discrimination. A resolution aimed at ending all manifestations inconsistent with the principle of the equality of all men and all peoples, as stated in the Charter, should therefore be entitled "Measures to eliminate all manifestations of prejudice, intolerance, hatred and racial, national and religious discrimination". It was in that spirit, moreover, that the Third Committee had, at the sixteenth session, adopted article 26 of the draft Covenant on Civil and Political Rights (1083rd meeting).

18. In its resolution 826 B (XXXII), the Economic and Social Council had recommended the adoption of two types of measure with a view to ending discrimination. Those were educative measures—such as the education of public opinion and the training of youth in the spirit defined in article 26 of the Universal Declaration and in principle 10 of the Declaration of the Rights of the Child (General Assembly resolution 1386 (XIV)—and legislative measures—such as the repeal of discriminatory laws and the enactment of new laws prohibiting manifestations of racial prejudice and national and religious intolerance. The Romanian delegation felt that those two types of measures should go hand in hand and complement one another. In fact, educative measures would be inadequate so long as discrimination was sanctioned by national legislation and practised by governmental agencies. Conversely, even when appropriate legislative measures had been adopted, it would still be necessary to impart to adults and young persons, under the education programmes, the ideals of peace, mutual respect and understanding among peoples. In that connexion she drew the Committee's attention to General Assembly resolution 1572 (XV). It was to be hoped that the discussions on the subject would result in a better understanding of the problems faced by teachers in creating a climate of tolerance, understanding and respect for all peoples, without distinction as to race or colour and without discrimination.

19. Romania had permanently eliminated all forms of discrimination whether racial, national or religious. Its Constitution sanctioned the principle of the equality of races and nationalities in all sectors of economic, political and cultural life and outlawed all privileges

based on race or nationality. All chauvinistic propaganda, and every manifestation of chauvinism and racial or national hatred were punishable under act No. 81. Act No. 86 of 6 February 1946 sanctioned the full equality of Romanian citizens before the law, without distinction as to race, nationality or religion. Lastly, the penal code punished any incitement to racial, national and religious hatred, insults on racial grounds, and discrimination based on race or nationality. Independently of those legislative measures the entire educational system of the Romanian People's Republic was based on the concepts of peace, equality, fraternity, friendship and understanding between races and nationalities, concepts which were disseminated in the country by all possible media.

20. In those circumstances it was obvious that the Romanian delegation could not but strongly condemn discrimination in all its forms. However, despite the principles of the Charter and the Universal Declaration, racism had been set up as a constitutional principle in certain countries and in many parts of the world large-scale attacks were made on human dignity. It was therefore a matter of urgency that States should undertake to eliminate discrimination in all its forms and more particularly racial discrimination, which was one of the most odious forms of contempt for man, his rights and his liberty.

21. Her delegation was, therefore, in favour of the revised draft resolution regarding a convention for the elimination of racial discrimination and would also vote for the draft resolution proposed in the Economic and Social Council's resolution 826 B (XXXII) which represented a step towards the elimination of discrimination.

22. Mrs. ROUSSEAU (Mali) felt that the suggestions made by the Chilean delegation were most valuable and proposed that the meeting should be adjourned so that the delegations concerned could consult together and draw up a revised text.

23. The CHAIRMAN, under rule 119 of the rules of procedure of the General Assembly, put the motion for adjournment to the vote.

The motion for adjournment was adopted by 67 votes to none, with 15 abstentions.

The meeting rose at 5 p.m.