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President : Sir Ronald WALKER (Australia)

Present :

Representatives of the following States, members of the Council: Algeria, Argentina, Australia, Austria, Chile, Colombia, Czechoslovakia, Ecuador, France, India, Iraq, Japan, Luxembourg, Senegal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Representatives of the following States, additional members of the sessional Committees: Cameroon, Ghana, Indonesia, Iran, Italy, Madagascar, Mexico, United Arab Republic, United Republic of Tanganyika and Zanzibar.

Observers for the following Member States: Bulgaria, Canada, Central African Republic, China, Greece, Hungary, Ireland, Israel, New Zealand, Pakistan, Sweden, Ukrainian Soviet Socialist Republic, Venezuela.

Observers for the following non-member States: Federal Republic of Germany, Switzerland.

Representatives of the following specialized agencies: United Nations Educational, Scientific and Cultural Organization, World Health Organization.

AGENDA ITEM 27

Report of the Commission on Human Rights
(E/3873)

REPORT OF THE SOCIAL COMMITTEE
(E/3952 and Corr.1)

1. The PRESIDENT invited the Council to consider the Social Committee's report on agenda item 27 (E/3952 and Corr.1).

2. Mr. WILLIAMS (United States of America) said that the Government of the United States, which was profoundly concerned with fundamental individual rights, was determined to ensure the expansion and protection of human rights throughout the world as well as within its own borders. It hoped that all other Member States would evince a similar concern.

3. There were constant references to fundamental human rights, equal rights, social progress and the dignity of the human person in the United Nations Charter. That was a recognition of the fact that the ideas in question were a necessary prerequisite to lasting world peace. Under the Charter, it was the Council's responsibility to ensure respect for the inalienable rights of the human person; the Council would therefore be failing in its duty if it dealt only with economic questions and neglected the promotion of respect for human rights and for fundamental freedoms without distinction as to race, sex, language or religion. His delegation was therefore somewhat dismayed that the report of the Social Committee reflected such meagre results, and that it did not bring out with greater force the urgency of the task confronting that Committee, at a time when there were so many instances in the world of Governments denying human rights and fundamental freedoms.

4. The Social Committee had recommended that the Council should submit to the General Assembly the draft international convention on the elimination of all forms of racial discrimination (draft resolution I). His delegation fully supported that recommendation. For over a hundred years, the United States had striven to banish that scourge from its territory. Freedom of speech and freedom of thought inevitably connoted the right to like or dislike one's fellow man. There was a danger that such attitudes might cause pain, but that was part of the price of freedom. In the United States, there were some people who claimed that legislation could not put an end to discrimination, since discrimination was rooted in the hearts of men. That might be so, but he believed that national legislation should set a standard of social behaviour and could effectively penalize the abuses and excesses which led men to violence. It would be appropriate for the international community also to lay down such standards.

5. Upon the signing of the Civil Rights Act of 1964, President Johnson had reminded the world that the United States had had to fight for its freedom in order to forge an ideal not only of political independence but also of personal liberty, in order to establish the rule of law. The road that had to be taken to make those rights a reality was long and tortuous, but the United States

would follow it to the end. Far from covering up the internal social contradictions in its country, the United States Government had made available a full supply of information on the subject. Such public self-criticism was a healthy practice for free societies. In recent years, the judiciary and the executive in the United States had always acted to ensure respect for the provisions of the Constitution guaranteeing equal rights to citizens. The legislature had adopted the Civil Rights Act of 1964, and the process would continue. The disturbances and protests to which the Press bore witness were not directed against the country, its leaders or its concepts; they were rather evidence of the right of every citizen to present his grievances in freedom. Those conditions marked the closing days of the century of struggle against racialism which had followed the emancipation proclamation; but the cancer of racialism was still gnawing at the vitals of many other nations.

6. His delegation regretted that the Social Committee had not completed the draft convention by approving the draft additional article submitted by the United States on anti-Semitism. That evil still flourished in so many parts of the world that the Secretary-General had issued a report on it. It was not unknown in the United States, but it was condemned there, and his Government was determined to root it out. The draft article would have been of great assistance to Governments in their struggle against anti-Semitism, the full horror of which had been revealed in the days of Nazi Germany. It was the duty of every member of the Council and of the United Nations to condemn discrimination in all its manifestations and to take positive action to ensure that that condemnation was effective.

7. His delegation found it strange that the draft declaration on the elimination of all forms of religious intolerance should have received such unsympathetic treatment in the Committee, despite the fact that it was apparent from article 18 of the Universal Declaration of Human Rights that the draft declaration was a natural extension of the principle of freedom of religion. The Council should at least have made a start. The amendment submitted by the United States for that purpose in the Social Committee had not been adopted, 13 members having voted for it and 13 against. Respecting as it did the view of others, the United States delegation would not resubmit the amendment to the Council in plenary session, although under the rules of procedure it was entitled to do so.

8. It was a source of anxiety to his delegation that many of those who espoused the cause of national independence, self-determination and equality among nations appeared to be so little concerned with the fundamental rights of the individual. His delegation hoped that the General Assembly in its wisdom would undertake the drafting of the declaration. Principles were easy to proclaim, but sincerity and determination were required if they were to be carried out. Justice, equality, freedom and dignity for all men should be the mainstay of the United Nations.

9. Mr. KOLB (Austria) said that, although the General Assembly was competent to draft a declaration on the

elimination of all forms of religious intolerance, he felt that the task should have been undertaken by the Social Committee and the Council. It was owing to lack of time that the Commission on Human Rights had been unable to undertake the duty entrusted to it by General Assembly resolution 1781 (XVII). A year had already been lost and, if the General Assembly again referred the matter to the Commission on Human Rights, a second year would be lost. Like the United States representative, his delegation would make no attempt to use a majority in the Council for the purpose of reversing the decision of the Social Committee. It was the duty of the Commission on Human Rights, the Council and the General Assembly to combat religious intolerance as much as racial discrimination, so that every human person would be able to enjoy the freedom to which he was entitled.

10. Mr. BARTUR (Observer for Israel), speaking at the invitation of the President, said that the Government and people of Israel had followed with understandable interest the work of the Council and of the Commission on Human Rights on religious intolerance and racial discrimination. In the case of anti-Jewish movements and demonstrations, it was practically impossible to distinguish between the two forms of discrimination. He welcomed the progress, modest though it was, that had been made towards an international convention on the elimination of all forms of racial discrimination, and he considered that the draft additional article on anti-Semitism proposed by the United States was just as important as the articles drawn up by the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

11. The existing situation so far as anti-Semitism was concerned gave rise to much anxiety. Admittedly, anti-Semitism almost nowhere formed part of the declared policy of a government; on the contrary, owing, among other things, to the part played by the United Nations, the atmosphere maintained by the international conscience gave grounds for hoping that racial and religious persecution would eventually be eliminated. Nevertheless, anti-Semitism was still acute in some parts of the world, including the country with the largest Jewish community in Europe — 3 million persons. A systematic attempt was being made in that country to deprive the Jewish community of its religious, cultural and linguistic heritage and of its national identity; it was an attempt to bring about assimilation artificially. The Government of the powerful State in question asserted that the campaign was in answer to the wishes of the Jews themselves; but in that case he wondered why Jews who wished to do so were not allowed to leave the country. The same Government also claimed that those drawing attention to the situation of the Jews in that country were moved by hostility towards a certain ideology and a certain political system; but the aim of that argument was actually to create a dangerous misunderstanding.

12. In raising that question, his Government was acting in accordance with its duty to draw attention to a distressing situation and out of its conviction that that state of affairs was an obstacle to the understanding that should exist between countries if world tension was to be reduced.

The recent publication of two works seemed to constitute a particularly grave symptom. One was the reissue in 1962 of a translated anti-Semitic pamphlet of the eighteenth century entitled *Image of the Saints*; the fact that it had been put out in a popular edition would give the reader the impression that it was an up-to-date report on a contemporary subject. The other, written by a man called Osipov and entitled *The Catechism in Its True Light*, had been published in 1963, again in a mass popular edition.

13. Mr. BENDRYSHEV (Union of Soviet Socialist Republics), speaking on a point of order, said that the observer for Israel, instead of dealing with the matter before the Council — namely, the report of the Commission on Human Rights — was making slanderous allegations against a Member State of the United Nations; he would ask the President to call him to order.

14. Mr. BARTUR (Observer for Israel), continuing his statement, said he wished to mention the question of family reunion. As a result of World War II, thousands of Jewish families had become separated. The principle that they should be reunited was universally acknowledged but, in the country in question, although that principle had frequently been applied within its frontiers, administrative and other barriers were placed in the way of those who wished to rejoin their families in Israel or elsewhere. It was high time that the national authorities concerned, and the international community, took urgent and constructive measures to remedy that intolerable state of affairs, which was causing suffering to thousands of human beings and depriving them of their human, religious and cultural rights, and to ensure that the country in question ceased giving its support to the distribution of offensive writings.

15. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) pointed out that Mr. Krushchev, the Chairman of the Council of Ministers of the USSR, had told the world that, since the day of the October revolution in the Soviet Union, the Jewish population had had in all respects a position equal to that of the other peoples in the country; that the Soviet Union had no Jewish question; and that those who invented such a "question" were acting on the instructions of others. The Council was witnessing such an instance; the observer for Israel was making slanderous charges against the USSR in order to distract attention from the racial and other forms of discrimination that were being practised at the moment in other parts of the world.

16. The observer for Israel had taken that dirty task upon himself on the instructions of his real masters. That he was not really concerned about the position of the Jews was demonstrated by the fact that he had said nothing about the countries where Jews were being deprived of their economic and other rights and where pro-fascist, anti-semitic organizations openly existed. The slanderous nature of his allegations was shown by the fact that synagogues openly functioned in the USSR and that special institutes existed for the training of Jewish religious leaders. As to his allegation about restrictions on leaving for Israel, the truth of the matter was that the Jews in

the USSR did not want to go to Israel, and that those who had already gone wished to return because of the hardships they had to face there. Many tourists coming from Israel to the USSR asked to be allowed to remain, and every day the Soviet Embassy in Tel-Aviv was visited by people wishing to come to the USSR. Those facts served to show the real situation of the Jews in the USSR and in Israel.

17. Mr. COMBAL (France) said that his country had always had and would continue always to have the greatest respect for the principle of the domestic jurisdiction of States. Nevertheless, as the country of the declaration of the rights of man and of the citizen, it could never remain indifferent when the fundamental principles of human rights and freedom as evoked in such high-minded fashion by the United States representative, were at stake.

18. His delegation had listened attentively to the particulars given by the observer for Israel. It could only express saddened surprise that, fifteen years after the proclamation of the Universal Declaration of Human Rights, instances of intolerance should anywhere occur.

19. Mr. MAZHAR (United Arab Republic) said that there was no racial discrimination in the United Arab Republic, where all the population had equal rights. His delegation would support any recommendation to promote the application of the principles set forth in the Universal Declaration of Human Rights. As to the draft declaration on the elimination of all forms of religious intolerance, the Council should endorse the decision of the Social Committee (draft resolution II); it was the only possible compromise in view of the very numerous points on which disagreement still existed.

20. Mr. HILL (Australia) associated himself with the United States representative's statement, which had impressed him by its moderation and sincerity.

21. Following upon the United Nations Declaration on the Elimination of all Forms of Racial Discrimination, it had seemed desirable that a draft declaration on the elimination of all forms of religious intolerance should be submitted to the General Assembly. The Commission on Human Rights had, moreover, already asked for the two questions to be linked. The Social Committee might have prepared such a draft, particularly since its agenda was not unduly heavy. Australia had abstained in the vote in the Social Committee on the relevant draft resolution as a whole, because it had supported the United States amendment, which had not been adopted by the Committee.

22. Mr. CHANDERLI (Algeria) observed that the concept of anti-Semitism was not clear. If it was a matter of racial discrimination, the question was already covered by the relevant draft declaration. If the reference was to religious intolerance, future debates should take into account the fact that several Member States were Semitic; but did not regard themselves as victims of anti-Semitism. The observer for Israel had complained that anti-Semitic practices were intended to destroy national identity; but

in a multi-racial world, it would be very dangerous to identify religion with the sense of belonging to a national community.

23. Sir Samuel HOARE (United Kingdom) expressed his appreciation of the United States representative's statement, and shared the French representative's regret that the practices referred to by the observer for Israel could still exist, wherever it might be. The reprinting and large-scale distribution of an anti-Semitic work of the eighteenth century was deplorable.

24. It was unfortunate that the Social Committee had not made a contribution to the study of the draft declaration on the elimination of all forms of religious intolerance, since the completion of the text would certainly be considerably delayed as a result.

25. Mr. ANDRIAMASY (Madagascar) recalled that, from the ethnological standpoint, the population of his country constituted a veritable mosaic of races, which implied a long tradition of liberalism and respect for human rights. To cite but one example, immediately after achieving independence Madagascar had spontaneously invited two alien minorities to consider themselves the nineteenth and the twentieth tribes of the island. In the circumstances his delegation therefore shared the sentiments expressed by the United States and French representatives.

26. Mr. HUIDOBRO (Chile) said that the Latin-American countries had always attached at least as much importance to human rights as to economic problems, and had always been in the forefront of the battle for human rights. It was absolutely essential that the General Assembly and the Council should give high priority to those matters and attach due importance to them, so that the effective observance of human rights throughout the world could be ensured.

27. Mr. PUTZ (Luxembourg) said that religious tolerance and respect for the right of everyone to profess the religion of his choice were deeply anchored in the hearts and minds of his people and were also reflected in the Luxembourg Constitution.

28. Mrs. AFNAN (Iraq) expressed regret that the Social Committee had been unable to take a decision concerning the draft declaration on the elimination of all forms of religious intolerance. The question was of great importance. It was natural, however, that countries struggling to feed their people were much more preoccupied with economic problems, since no one was truly free so long as he was still suffering the pangs of hunger. If the advancement of human rights was to be truly served, the gap between rich and poor countries would have to be filled as soon as possible.

29. Mr. MIGONE (Argentina) recalled that throughout centuries of Christian civilization Argentina had made important advances in the field of human rights. Slavery had been abolished in 1713, and the 1953 Constitution recognized freedom of worship. It was regrettable that the Commission on Human Rights and the Social Com-

mittee had been unable to make further progress in the consideration of those matters, and he hoped that the gaps left would be filled at the nineteenth session of the General Assembly, and that due priority would be given to the question of the complete elimination of all religious discrimination. Whether anti-Semitism was directed against race or religion, it was certain that the terrible persecution to which the Jews had been subjected had dishonoured both the perpetrators and civilization itself.

30. Mr. PONCE y CARBO (Ecuador) said his delegation fully approved the United States representative's statement, particularly the part which had reference to the work of the Commission on Human Rights. In the Social Committee, his delegation had upheld the view that the Committee should consider as soon as possible the additional draft article on anti-Semitism. He also approved the statement of the observer for Israel and deplored the fact that such reprehensible acts could still occur.

31. Mr. BENDRY SHEV (Union of Soviet Socialist Republics) considered that the Commission on Human Rights had done useful work in preparing a draft international convention on the elimination of all forms of racial discrimination to be submitted to the General Assembly for adoption at its nineteenth session; he would support the relevant draft resolution proposed by the Commission on Human Rights and approved by the Social Committee. He would also support draft resolution IV of the Social Committee proclaiming 1968 as International Year for Human Rights.

32. As to the draft declaration on the elimination of all forms of religious intolerance, his delegation thought that the question had not been studied sufficiently by subordinate organs to warrant transmission to the General Assembly.

33. The French and the United Kingdom representatives, and some others as well, had tried to support the allegations of the observer for Israel; in particular about the publication of some pamphlets in the USSR. They wanted to distract attention in the Council from the real issue, i.e., the racial discrimination being practised in Western countries and their colonies. As to the publication of scientific atheist literature in the USSR, every State had the right to publish such material. But it was well known that in the USSR special attention was paid to avoiding offence to the feelings of believers. He cited in example the consideration given by the Ideological Commission of the Communist Party of the USSR to the shortcomings of the pamphlet written by Klichko.

34. Mr. CISS (Senegal) said that his country offered an example of religious tolerance.

35. The debate had shown that the Social Committee would have had a very delicate task if it had attempted to complete the draft declaration on religious intolerance. The sponsors of the relevant draft resolution approved by the Social Committee had merely sought a compromise solution, leaving it to the General Assembly to decide for itself whether it wished to complete the draft declaration.

36. He expressed the hope that the Council would adopt the draft resolution and that the draft declaration could be studied as rapidly and with as much effect as possible either by the General Assembly or by some other organ.

37. Mr. HANDL (Czechoslovakia) praised the work of the Commission on Human Rights in connexion with the draft convention on the elimination of all forms of racial discrimination; he hoped that the General Assembly would adopt that text, which would mark a further advance towards respect for human rights, without any form of discrimination. He would vote for draft resolution I of the Social Committee and also for draft resolution IV designating 1968 as International Year for Human Rights.

38. As to the draft declaration on the elimination of all forms of religious intolerance, his delegation believed that such an instrument should be drawn up but did not believe it was advisable to transmit to the General Assembly a draft which had not been duly studied by the Sub-Commission on Prevention of Discrimination and Protection of Minorities or by the Commission on Human Rights. It would be more logical to refer the text to the Commission which, under General Assembly resolution 1781 (XVII), had the responsibility for drafting it. However, since some delegations preferred to leave the decision to the General Assembly, he would abstain in the vote on draft resolution II of the Social Committee.

39. He would have liked to be able to pass over the statement by the observer for Israel; but he was in duty bound to point out that remarks of that kind, which were always based on political considerations, could only interfere with the orderly progress of the Council's work. He was surprised, moreover, that the representative of a country well known for its intolerance should venture to defend the cause of religious tolerance.

40. The PRESIDENT said he would give the observer for Israel the opportunity to speak again in accordance with rule 75 of the rules of procedure.

41. Mr. BENDRY SHEV (Union of Soviet Socialist Republics), speaking on a point of order, reminded the Council that the question under consideration was the report of the Social Committee. The President had appealed to representatives to do their utmost to expedite the work of the Council, yet he was inviting to speak again one whose sole desire was not to advance the Council's work, but to mar the atmosphere by uttering slanders and to cover up, under instructions from his masters, racial and other forms of discrimination that were condemned by all honest people throughout the world.

42. Mr. BARTUR (Observer for Israel) agreed with the Czechoslovak representative that it was desirable to maintain an atmosphere favourable to the orderly progress of the Council's work, but he wondered whether that concern was a sufficient reason for concealing unpleasant realities. He would feel that he was failing in his moral duty if he made the atmosphere of the debate his primary concern.

43. The problem under discussion could not be settled by an exchange of insults and calumnious charges; for that reason he had taken pains to adhere strictly to the facts.

44. It was true that there were tendentious publications in many other countries, but the problem was far more serious when such literature was published by the State itself or by scientific academies, and made widely available to the public.

45. The Soviet Union representative had said that there were 92 synagogues in the USSR — a very low figure for a community of 3 million persons and one which could hardly be regarded as encouraging, since in 1956, according to official figures, there had been 450. As to religious instruction, it was being given, in that community of 3 million persons, to 4 students only.

46. Mr. BENDRY SHEV (Union of Soviet Socialist Republics), speaking on a point of order, expressed surprise that the President was again allowing the observer for Israel to hinder the important work of the Council. The task before the Council was to facilitate action to end as soon as possible the racial discrimination that was still being practised in many parts of the world. But the observer for Israel was trying, under the instructions of the delegations of those countries concerned, to prevent the Council from performing its task. For the purposes of those delegations he was making slanderous allegations that had been refuted many times before. He had no desire to enter into argument with the observer for Israel, who had no interest in learning about the real situation in the USSR but wanted only to distort the facts. He would state once again that no racial or other discrimination existed or ever would exist in the USSR; and would ask the President to allow the Council to proceed with its work.

47. Mr. BARTUR (Observer for Israel) concluding his statement, thanked the President for having allowed him to express his Government's point of view on an important question.

48. Mr. EL HASSANY (United Arab Republic) said he did not believe that the observer for Israel was entitled to speak on the point at issue, since Israel, the only State based on a religion, practised discrimination itself by depriving of their civil rights those Arabs whom it had not expelled from Palestine, whereas those same civil rights were enjoyed by Jews throughout the world.

49. The PRESIDENT invited the Council to vote on the draft resolutions I to V contained in paragraph 17 of the report of the Social Committee (E/3952 and Corr.1).

I. Draft international convention on the elimination of all forms of racial discrimination.

Draft resolution I was adopted unanimously.

II. Draft declaration and draft convention on the elimination of all forms of religious intolerance.

Draft resolution II was adopted by 9 votes to none, with 9 abstentions.

III. Study of discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country.

Draft resolution III was adopted by 16 votes to none, with 2 abstentions.

IV. Designation of 1968 as International Year for Human Rights.

Draft resolution IV was adopted unanimously.

V. Report of the Commission on Human Rights.

Draft resolution V was adopted unanimously.

AGENDA ITEM 28

Measures to implement the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (E/3916)

REPORT OF THE SOCIAL COMMITTEE (E/3953)

50. The PRESIDENT invited the Council to vote on the draft resolution contained in paragraph 6 of the report of the Social Committee (E/3953).

51. Mr. CISS (Senegal) proposed that the word "present", in the second sentence of the third preambular paragraph to the draft resolution recommended under the Social Committee's draft for adoption by the General Assembly, be deleted.

The amendment was approved.

The draft resolution, as amended, was adopted unanimously.

AGENDA ITEM 29

**Advisory services in the field of human rights
(E/3883 and Add.1)**

REPORT OF THE SOCIAL COMMITTEE (E/3954)

52. Mr. WILLIAMS (United States of America) said that, in the Social Committee, his delegation had abstained in the vote on the draft resolution now submitted for the Council's consideration (E/3954, para. 6); that abstention in no way prejudged the position the United States delegation would take on the question of advisory services at the nineteenth session of the General Assembly.

53. His Government attached great importance to the programme of advisory services and in particular to the fellowship programme; it would not concur in any decision to reallocate the funds already earmarked for the fellowship programme to defray the cost of the regional seminars to be held in Mongolia and Yugoslavia. There were no additional funds available for the regional seminars in 1965 and it was his Government's view that any additional expenses there might be should be defrayed by the host Governments. Moreover, it was surprising that the note on advisory services submitted by the Secretary-General (E/3882/Add.1), which had been issued during the recent session of TAC, had not been communicated to that body, for possible recommendations. That was not in line with the procedure recom-

mended by TAC in 1963 and approved by the Council, whereby decisions of the Council concerning the use of the funds of the regular programme of technical assistance should be communicated to TAC.

54. He was sure that the host Governments to the seminars in question would, in accordance with the customary practice, take steps to grant the necessary visas to all those who wished to take part in them. Further, it was to be hoped that the Secretary-General would consult with countries of transit to ensure that the necessary papers for through travel would be made available so that intending participants would meet with no impediment.

55. Mr. COMBAL (France) said he was very sorry he would have to abstain in the vote on the draft resolution of the Social Committee despite his Government's interest in the advisory services, which he regarded as one of the most effective means of promoting respect for human rights. While not objecting to the order of priority indicated in the draft resolution, he wished by his abstention to signify his regret that the regular procedures and rules of competence had not been observed.

56. Mr. ILIC (Yugoslavia) said his Government would take into account the observations which the United States representative had just made; it would also, however, bear in mind the General Assembly resolution regarding Portugal.

57. Mrs. AFNAN (Iraq) pointed out to the representatives of France and the United States of America that whatever the procedure followed, it was the General Assembly which would have to take the final decision concerning the organization of the programme of advisory services and to reconsider, if it thought fit, its recommendation to double the number of fellowships, as compared with 1962 (resolution 1782 (XVII)).

58. Mr. HERNDL (Austria) said he would vote for the draft resolution on the understanding that the recommendation contained in paragraph 2 was made "as an exceptional measure" and that, as a general rule, the expenses in connexion with seminars would be kept within the limits of the allocations.

59. The PRESIDENT put to the vote the draft resolution submitted by the Social Committee (E/3954, para. 6).

The draft resolution was adopted by 11 votes to none, with 7 abstentions.

AGENDA ITEM 30

Slavery (E/3885, E/3887)

REPORT OF THE SOCIAL COMMITTEE (E/3955 and Corr.1)

60. The PRESIDENT proposed that the Council take note of the report of the Social Committee (E/3955 and Corr.1).

It was so decided.

The meeting rose at 1.40 p.m.