



Twentieth session

DRAFT INTERNATIONAL CONVENTION ON THE ELIMINATION OF
ALL FORMS OF RELIGIOUS INTOLERANCE*

Note by the Secretary-General

1. In resolution 1781 (XVII), adopted at its 1187th plenary meeting on 7 December 1962, the General Assembly requested the Economic and Social Council to ask the Commission on Human Rights, bearing in mind the views of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the debates at the seventeenth session of the Assembly, any proposals on this matter that might be submitted by Governments and any international instruments already adopted in this field by the specialized agencies, to prepare, inter alia, a draft international convention on the elimination of all forms of religious intolerance, to be submitted to the Assembly if possible at its nineteenth session, and, in any case, not later than at its twentieth session. The Assembly invited Member States to submit their comments and proposals concerning the draft convention by 15 January 1964.
2. At its resumed thirty-fourth session, the Economic and Social Council, on 19 December 1962 (1238th meeting), transmitted General Assembly resolution 1781 (XVII) to the Commission on Human Rights and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities.
3. The General Assembly's invitation to Member States, to submit their comments or proposals concerning the draft convention by 15 January 1964, was transmitted to those States by the Secretary-General on 4 January 1963. The comments or proposals received were drawn to the attention of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.^{1/} The Governments of Denmark, Japan,

* Item 64 (b) of the provisional agenda.

^{1/} E/CN.4/Sub.2/243, paras. 5-8 and annex.

Laos, Sweden and Venezuela stated that they had no comments to make on the contents of such a convention. The Governments of China (E/3925), Kenya (E/3925) and the Netherlands (E/3925/Add.1) stated, in connexion with their comments on the draft declaration on the elimination of all forms of religious intolerance, that they favoured preparation of a convention on the subject. Comments on proposals relating to the contents of the convention were received from the Governments of Chad (E/CN.4/Sub.2/235/Add.3), Finland (E/CN.4/Sub.2/235, pp. 4-5), Ireland (E/3925, annex, pp. 3-4, and E/3925/Corr.1), Nigeria (E/CN.4/Sub.2/235, p. 5), and the United Kingdom of Great Britain and Northern Ireland (E/CN.4/Sub.2/235/Add.1/Rev.1, p. 4).

4. The Sub-Commission did not consider the question of the draft convention on the elimination of all forms of religious intolerance at its fifteenth or sixteenth sessions, held in January 1963 and January 1964 respectively.

5. At its twentieth session in 1964^{2/} the Commission on Human Rights decided, in resolution 2 (XX), to prepare at its twenty-first session a draft convention on the elimination of all forms of religious intolerance, in compliance with General Assembly resolution 1781 (XVII), and invited the Sub-Commission to submit to the Commission at its twenty-first session a preliminary draft convention on the elimination of all forms of religious intolerance.

6. At its seventeenth session, held in January 1965, the Sub-Commission prepared, and transmitted to the twenty-first session of the Commission on Human Rights, a preliminary draft international convention on the elimination of all forms of religious intolerance, consisting of a preamble and thirteen articles.^{3/} The Sub-Commission also prepared and transmitted to the Commission a "preliminary draft as an expression of the general views of the Sub-Commission on additional measures of implementation which might help to make the draft international convention on the elimination of all forms of religious intolerance more effective".^{4/} At the request of the Sub-Commission, the Secretary-General transmitted to the Commission the records^{5/} containing the views expressed by the members of the Sub-Commission on these additional measures of implementation.

^{2/} See Official Records of the Economic and Social Council, Thirty-seventh Session, Supplement No. 8 (E/3873), chapter III.

^{3/} E/CN.4/882 and Corr.1, para. 321, resolution 1 (XVII).

^{4/} Ibid., para. 329, resolution 2 (XVII).

^{5/} E/CN.4/Sub.2/SR.454 and 455.

7. At its twenty-first session, held from 22 March to 15 April 1965, the Commission on Human Rights devoted its 817th to 834th and 837th to 839th meetings to the preparation of a draft international convention on the elimination of all forms of religious intolerance, taking as a basis the preliminary draft submitted by the Sub-Commission. The Commission also had before it the following documents: the summary records of the debates at the seventeenth session of the General Assembly;^{6/} the comments and proposals submitted by Governments (see para. 3), and the comments submitted by two specialized agencies: the United Nations Educational, Scientific and Cultural Organization (E/CN.4/852), and the International Labour Organisation (E/CN.4/852/Add.1).

8. At that session, the Commission on Human Rights adopted a preamble and four articles of the draft convention.^{7/} It was, however, unable, owing to lack of time, to complete its work on the draft convention, and in particular to consider a number of articles of the preliminary draft convention submitted by the Sub-Commission.^{8/} The Commission adopted resolution 1 (XXI), as follows:

"The Commission on Human Rights,

"Noting General Assembly resolution 1781 (XVII) requesting, inter alia, the preparation of a draft convention on the elimination of all forms of religious intolerance,

"Noting with satisfaction the preliminary draft for such a convention prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

"Having adopted at its twenty-first session a preamble and four articles, but having been unable, due to lack of time, to complete its work on the draft convention,

6/ Official Records of the General Assembly, Seventeenth Session, Third Committee, 1165th to 1173rd meetings, and ibid., Plenary Meetings, 1187th meeting.

7/ Official Records of the Economic and Social Council, Thirty-ninth Session, Supplement No. 8 (E/4024), chapter II. The text of provisions of the draft convention adopted by the Commission will be found in paragraph 327.

8/ Ibid. The text of the draft convention and other provisions relating to it submitted by the Sub-Commission, and of proposals and amendments thereto which were not considered by the Commission, will be found in paragraphs 328-330.

"1. Decides to give absolute priority at its twenty-second session to completing the preparation of a draft convention on the elimination of all forms of religious intolerance;

"2. Recommends to the Economic and Social Council that it adopt the following draft resolution:

'The Economic and Social Council,

'Having taken note of resolution 1 (XXI) of the Commission on Human Rights concerning the draft convention on the elimination of all forms of religious intolerance,

'Draws the attention of the General Assembly to this resolution.'"

9. As requested, the Economic and Social Council, in resolution 1074 B (XXXIX), adopted at its 1392nd meeting on 28 July 1965, took note of resolution 1 (XXI) of the Commission and drew the attention of the General Assembly to this resolution.
