

CHAPTER XIII

HUMAN RIGHTS QUESTIONS

PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

Various aspects of the question of the prevention of discrimination and the protection of minorities were considered during 1965 by the General Assembly, the Economic and Social Council, the Commission on Human Rights and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities.

On 21 December, the Assembly approved the text of an International Convention on the Elimination of All Forms of Racial Discrimination. (For details, see section below.)

In January 1965, the Sub-Commission decided to carry out a special study of racial discrimination in the political, economic, social

and cultural spheres. On 1 November, the General Assembly adopted a resolution on measures to give effect to the United Nations Declaration (of 20 November 1963) on the Elimination of All Forms of Racial Discrimination and, among other things, it called on all States in which racial discrimination was practised to take urgent effective steps, including legislative measures, to implement the Declaration. (See pp. 447-49.)

Work was also done during the year on a draft International Convention on the Elimination of All Forms of Religious Intolerance. A preliminary draft, consisting of a preamble and 13 articles, was submitted by the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities to the Human

Rights Commission, which adopted the preamble and four articles of the draft Convention. The Assembly, on 1 November 1965, adopted a resolution requesting the Commission to complete its work on the draft Convention so that the Assembly could consider it in 1966. The Assembly also asked that the Commission make every effort to complete the text of a draft Declaration on the Elimination of All Forms of Religious Intolerance so that it might be considered by the Assembly in 1966. (For further details, see pp. 449-52.)

Various other aspects of the work done during 1965 by United Nations organs on the prevention of discrimination and the protection of minorities are described later in this chapter.

International Convention on the Elimination of all Forms of Racial Discrimination

On 21 December 1965, the General Assembly approved, by a roll-call vote of 106 to 0, with 1 abstention, the text of an International Convention on the Elimination of All Forms of Racial Discrimination. This consisted of a preamble and 25 articles divided into three parts.

The first part, consisting of articles 1-7, described the nature of racial discrimination and set forth various ways whereby States party to the Convention should eliminate racial discrimination. The second part, consisting of articles 8-16, contained measures of implementation and provided, *inter alia*, for the establishment of an 18-member Committee on the Elimination of Racial Discrimination. The third part, consisting of articles 17-25, dealt with such matters as procedures for ratification, signature and the time when the Convention would come into force.

The Assembly approved the Convention in adopting resolution 2106 A (XX). It took this action on the basis of a recommendation of its Third (Social, Humanitarian and Cultural) Committee, as later amended at a plenary meeting of the Assembly. The Third Committee's version was approved on 15 December by a roll-call vote of 87 to 0. This version was amended in the Assembly on 21 December 1965 by 82 votes to 4, with 21 abstentions, with the ac-

ceptance of an amendment put forward by 33 Members.¹

As a basis for its discussions, the Third Committee had before it, among other things, the text of a draft International Convention submitted by the Commission on Human Rights² and a number of proposals for amendments to the Commission's text, which were submitted by various Members of the General Assembly.

The Commission's text did not contain provisions relating to measures of implementation but the Commission did forward a number of documents on the subject which it had not been able to deal with.³

Ghana, Mauritania and the Philippines proposed a number of articles dealing with measures of implementation for addition to the text of the Convention submitted by the Com-

¹ The 33 Assembly Members sponsoring the amendment were: Algeria, Cameroon, Central African Republic, Chad, Congo (Brazzaville), the Democratic Republic of the Congo, Ethiopia, Gabon, Ghana, Guinea, India, Iran, Japan, Jordan, Kenya, Lebanon, Liberia, Libya, Mali, Mauritania, Morocco, Nigeria, Rwanda, Saudi Arabia, Senegal, Sudan, Togo, Trinidad and Tobago, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, and Upper Volta.

² See Y.U.N., 1964, pp. 346-48.

³ See Y.U.N., 1964, p. 347.

mission. These were based mainly on the documents transmitted to the Commission by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities. These proposals and the amendments thereto formed the basis for Part II of the Convention.

Part III of the Convention was based on proposals for final clauses drafted by the Officers of the Third Committee and amendments thereto.

In the early stages of its discussions, the Third Committee, in acting on a proposal by Greece and Hungary, decided, by a roll-call vote of 82 to 12, with 10 abstentions, not to include any reference in the text of the Convention to specific forms of racial discrimination. As a result, there was no vote on a number of proposals and amendments calling for the inclusion of various references in the text of the Convention to Nazism, neo-Nazism, anti-Semitism and Zionism.

PREAMBLE

The preamble to the Convention, as finally adopted, stated that the Charter of the United Nations was based on the principle of dignity and equality inherent in all human beings and that all Member States had pledged themselves to take action for the achievement of one of the purposes of the United Nations, namely, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. The preamble also noted that the Universal Declaration of Human Rights (adopted by the General Assembly on 10 December 1948⁴) had proclaimed that all human beings were born free and equal in dignity and rights and that everyone was entitled, without distinction of any kind, in particular as to race, colour or national origin, to the rights and freedoms set out in the Universal Declaration.

The preamble also asserted the equality of all human beings before the law and their entitlement to equal protection by the law against any discrimination. The preamble, in addition, recalled: (a) that the General Assembly's Declaration (of 14 December 1960) on the Granting of Independence to Colonial Countries and Peoples⁵ had solemnly proclaimed the

need for a speedy and unconditional end to colonialism and all practices of segregation and discrimination associated with colonialism, and (b) that the United Nations Declaration (of 20 November 1963) on the Elimination of All Forms of Racial Discrimination⁶ had, among other things, solemnly affirmed the need for speedily eliminating racial discrimination of all kinds throughout the world.

Stated, too, in the preamble, was the conviction that any doctrine of racial superiority was scientifically false, morally condemnable and socially unjust and dangerous and that there was no justification for racial discrimination anywhere. Further, discrimination between human beings on grounds of race, colour or ethnic origin hindered friendly and peaceful relations among nations and could disturb peace and security among peoples and the harmony of persons living side by side even within one and the same State. The existence of racial barriers, it was also stated, was repugnant to the ideals of any human society.

By the preamble, the States party to the Convention would state that they were alarmed by manifestations of racial discrimination still in evidence in some areas of the world and by governmental policies based on racial superiority or hatred, such as policies of apartheid, separation or segregation. They would also state their resolve to adopt all measures needed for speedily eliminating all forms and manifestations of racial discrimination and to prevent and combat racist doctrines and practices so as to promote understanding between races and build an international community free from all forms of racial segregation and discrimination.

PART I (ARTICLES 1-7)

Article 1 of the Convention defined the term "racial discrimination" as any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which had the purpose or effect of nullifying or impairing the recognition, enjoyment or exer-

⁴ See Y.U.N., 1948, pp. 535-37.

⁵ See Y.U.N., 1960, pp. 49-50, text of resolution 1514(XV).

⁶ See Y.U.N., 1963, pp. 344-46, text of resolution 1904 (XVIII).

cise, on an equal footing, of human rights and fundamental freedoms. Among other things, this article stated that special measures intended solely to secure adequate advantages of certain ethnic or racial groups or individuals as may be needed to ensure them equal enjoyment or exercise of human rights and fundamental freedoms should not be deemed racial discrimination if they did not result in the maintenance of separate rights for different racial groups and if they were not continued after the achievement of the objectives for which they were taken.

By article 2, States party to the Convention would condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination and promoting understanding among all races. The articles also listed a number of measures which States party to the Convention should take to this end.

By article 3, States party to the Convention particularly would condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

By article 4, they would condemn all propaganda and organizations based on ideas or theories of racial discrimination and would undertake to adopt immediate and positive measures to eradicate all incitement to, or acts of, such discrimination. Among other things, they would declare it an offence punishable by law to disseminate ideas based on racial superiority or hatred, or to indulge in acts of violence, or incite such acts, against any race or group of another colour or ethnic origin. They would also ban organizations and propaganda activities promoting and inciting racial discrimination, nor would they permit public authorities or institutions to promote or incite discrimination.

By article 5, parties to the Convention would undertake to prohibit and eliminate racial discrimination and guarantee everybody equality before the law. This article also set forth a number of rights in respect of which there should be equality of treatment before the law.

By article 6, parties to the Convention would assure to everyone within their jurisdiction effective protection and remedies, through the com-

petent national tribunals and other state institutions, against any acts of racial discrimination which violated human rights and fundamental freedoms contrary to the Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

By article 7, parties to the Convention would undertake to adopt immediate and effective measures to combat prejudices leading to racial discrimination, and to promote understanding, tolerance and friendship among nations and racial or ethnical groups. They would also propagate the purposes and principles of the United Nations Charter, the Universal Declaration of Human Rights and the United Nations Declaration on the Elimination of All Forms of Racial Discrimination.

PART II (ARTICLES 8-16)

Articles 8-16 dealt with measures of implementation and, among other things, provided for the establishment of a Committee on the Elimination of Racial Discrimination, consisting of 18 experts of high moral standing and acknowledged impartiality, elected by States party to the Convention from among their nations, who would serve in their personal capacity for a four-year term, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as of the principal legal systems.

The States party to the Convention would submit a report, for consideration by the Committee, on the legislative, judicial, administrative and other measures which they had adopted to give effect to the provisions of the Convention. The Committee would report annually to the General Assembly on its activities, making suggestions and general recommendations if it so thought necessary, based on the examination of the information received from States party to the Convention. Such suggestions and general recommendations would be reported with comments, if any, from the parties to the Convention.

Provision was also made for the appointment by the Chairman of the Committee of a five-member ad hoc Conciliation Commission with a view to securing an amicable solution of a

matter of dispute between parties to the Convention.

PART m (ARTICLES 17-25)

Part III of the Convention, consisting of articles 17-25, dealt with such matters as: procedures for signing and ratifying the Convention and for depositing instruments of ratification; the date of entry into force of the Convention; the lodging of reservations to the Convention at the time of ratification or accession; procedures for denunciation of the Convention by a State party; and procedures for revision of the Convention.

(For full text of Convention, see DOCUMENTARY REFERENCES below, resolution 2106(XX).)

CO-OPERATION WITH SPECIAL COMMITTEE DEALING WITH GRANTING OF INDEPENDENCE

In another resolution adopted on 21 December, the General Assembly, recalling that it had established other bodies to receive and examine petitions of peoples of colonial countries, stated its conviction that close co-operation between the Committee on the Elimination of Racial Discrimination (as established by the International Convention on the Elimination of All Forms of Racial Discrimination) and bodies of the United Nations charged with receiving and examining petitions from peoples of colonial countries, would facilitate the achievements of both the Convention and the Declaration on the Granting of Independence to Colonial Countries and Peoples. It called

upon the Secretary-General to make available to the Committee on the Elimination of All Forms of Racial Discrimination, periodically, or at its request, all information in his possession relevant to article 15 of the International Convention on the Elimination of All Forms of Racial Discrimination (which, among other things, stated that provisions of the Convention should in no way limit the right of petition granted to colonial peoples by other international instruments or by the United Nations and its specialized agencies).

The Assembly further asked its 24-member Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and all other United Nations bodies, which were authorized to receive and examine petitions from peoples of colonial countries, to submit copies of petitions, which were relevant to the Convention, to the Committee on the Elimination of Racial Discrimination for the latter's comments and recommendations.

The resolution to this effect (2106 B (XX)) was approved at a plenary meeting of the Assembly on 21 October 1965 by 98 votes to 0, with 7 abstentions, on the recommendations of the Third Committee where it was adopted on 15 December 1965, by 70 votes to 1, with 11 abstentions, on the basis of a proposal by Ghana, Jamaica, Mauritania, the United Arab Republic and the United Republic of Tanzania. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

DOCUMENTARY REFERENCES

INTERNATIONAL CONVENTION ON ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

GENERAL ASSEMBLY—20TH SESSION

Third Committee, meetings 1299-1316, 1318, 1344-1358, 1361-1368, 1373, 1374.
Fifth Committee, meeting 1113.
Plenary Meeting 1406.

A/5803. Report of Economic and Social Council to General Assembly (19th session), Chapter IX, Section I.

A/5921. Note by Secretary-General. Annex: Provisions of draft International Convention on Elimination of All Forms of Racial Discrimination

adopted by Commission on Human Rights at its 20th session (1964).

EXCLUSION OF REFERENCES TO SPECIFIC FORMS OF RACIAL DISCRIMINATION

A/C.3/L.1244. Greece and Hungary: draft resolution, adopted by Third Committee on 20 October 1965, meeting 1312, by roll-call vote of 82 to 12, with 10 abstentions, as follows:

In favour: Afghanistan, Algeria, Argentina, Bulgaria, Burma, Byelorussian SSR, Cameroon, Central African Republic, Ceylon, Chad, Chile, Colombia, Congo (Brazzaville), Democratic Republic of the Congo, Cuba, Cyprus, Czechoslovakia, Dahomey,

Denmark, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, India, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mongolia, Morocco, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sudan, Sweden, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia.

Against: Australia, Austria, Belgium, Bolivia, Brazil, Canada, Israel, Luxembourg, Netherlands, United Kingdom, United States, Uruguay.

Abstaining: China, Costa Rica, Dominican Republic, Finland, France, Haiti, Italy, Ivory Coast, Mexico, Venezuela.

"The Third Committee

"Decides not to include in the draft Convention on the Elimination of All Forms of Racial Discrimination any reference to specific forms of racial discrimination."

PREAMBLE TO CONVENTION

AMENDMENTS TO COMMISSION'S TEXT

A/C.3/L.1210. Poland: amendment to para. 6.

A/C.3/L.1217. Colombia and Senegal: amendments (co-sponsored orally by Brazil), to para. 8 and to add new para, after para. 6.

A/C.3/L.1219. Romania: amendment, adding new para, after para. 2.

A/C.3/L.1222. Lebanon: amendments to paras. 1 and 7.

A/C.3/L.1226 and Corr.1. Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Panama, Peru, Uruguay, Venezuela: amendments to paras. 3, 4, 6 and 8.

A/C.3/L.1230. United Kingdom: sub-amendment to Romanian amendment, A/C.3/L.1219.

Preamble, as a whole, as drafted by Commission on Human Rights, and as amended by 3 powers (A/C.3/L.1217), by Romania (A/C.3/L.1219), Lebanon (A/C.3/L.1222), by Latin American powers (A/C.3/L.1226) and by the United Kingdom (A/C.3/L.1230) adopted unanimously by Third Committee on 21 October 1965, meeting 1314.

A/C.3/L.1249. Text of preamble as adopted by Third Committee on 21 October 1965, meeting 1314.

PART I (ARTICLES 1-7)

AMENDMENTS TO COMMISSION'S TEXT

A/C.3/L.1208. Ukrainian SSR: amendment to article 4.

A/C.3/L.1209. Brazil: amendments to articles 1 and 2.

A/C.3/L.1210. Poland: amendments to articles 1, 2 and 4.

A/C.3/L.1211. Brazil and United States: amendment proposing new article after article 3.

A/C.3/L.1212. France and United States: amendments to article 1.

A/C.3/L.1216. India: amendments to article 1 and 5.

A/C.3/L.1217. Colombia, Senegal and Brazil (orally): amendments to article 2.

A/C.3/L.1218. Bulgaria: amendments to articles 2, 5, 6 and 7.

A/C.3/L.1220. Czechoslovakia: amendments to articles 1, 4 and 7.

A/C.3/L.1223. Jamaica: amendment proposing new article after article 7.

A/C.3/L.1224. Ghana, India, Lebanon, Morocco, Nigeria, Senegal: amendment to article 1.

A/C.3/L.1225. Mauritania, Nigeria, Uganda: amendments to articles 1, 2, 4, 5 and 6.

A/C.3/L.1226 and Corr.1. Argentina, Bolivia, Brazil, Colombia, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Panama, Peru, Uruguay, Venezuela: amendments to article 1-5.

A/C.3/L.1231 and Corr.1. USSR: sub-amendments to 2-power amendment, A/C.3/L.1211.

A/C.3/L.1236. Bolivia: amendment to USSR sub-amendment, A/C.3/L.1231 and Corr.1.

A/C.3/L.1238. Ghana, India, Lebanon, Mauritania, Morocco, Nigeria, Poland, Senegal and Kuwait (orally): amendment to article 1.

A/C.3/L.1242. United States: sub-amendment to Polish amendment, A/C.3/L.1210.

A/C.3/L.1243. United States: sub-amendment to Czechoslovakian amendment, A/C.3/L.1220.

A/C.3/L.1245. Denmark, Finland, Iceland, Norway, Sweden: sub-amendment to Czechoslovakian amendment, A/C.3/L.1220.

A/C.3/L.1250. Nigeria: amendment to article 4.

A/C.3/L.1253. Argentina: sub-amendment to Nigerian amendment, A/C.3/L.1250.

ARTICLE 1, as proposed by 9 powers, (A/C.3/L.1238), and as orally amended by Ethiopia and India, replacing article 1 as drafted by Commission on Human Rights, adopted by Third Committee on 18 October 1965, meeting 1307, by 89 votes to 0, with 8 abstentions.

ARTICLE 2, as drafted by Commission on Human Rights, and as amended by Brazil, Colombia and Senegal (A/C.3/L.1217), Bulgaria (A/C.3/L.1218 as revised), Latin American powers (A/C.3/L.1226 and Corr.1) and orally by Ghana, adopted unanimously by Third Committee on 18 October 1965, meeting 1308.

ARTICLE 3, as drafted by Commission on Human Rights, adopted unanimously by Third Committee on 18 October 1965, meeting 1308.

ARTICLE 4, as proposed by Nigeria (A/C.3/L.1250) to replace article 4 as drafted by Commission on

Human Rights), adopted by Third Committee on 25 October 1965, meeting 1318, by 88 votes to 0, with 5 abstentions.

ARTICLE 5, as drafted by Commission on Human Rights, and as amended by Bulgaria (A/C.3/L.1218, orally revised), Mauritania, Nigeria and Uganda (A/C.3/L.1225) and orally by Czechoslovakia, adopted unanimously by Third Committee on 19 October 1965, meeting 1309.

ARTICLE 6, as drafted by Commission on Human Rights, and as amended by Bulgaria (A/C.3/L.1218) adopted by Third Committee on 19 October 1965, meeting 1309, by 95 votes to 0, with 2 abstentions.

ARTICLE 7, as drafted by Commission on Human Rights and as amended by Bulgaria (A/C.3/L.1218) and by Czechoslovakia (A/C.3/L.1220), adopted unanimously by Third Committee on 19 October 1965, meeting 1309.

A/C.3/L.1239, A/C.3/L.1262, A/C.3/L.1241. Texts of articles 1-7 as adopted by Third Committee on 18, 19 and 25 October 1965, meetings 1307-1309, 1318.

PART II (ARTICLES 8-16)
(MEASURES OF IMPLEMENTATION)
PROPOSALS BY PHILIPPINES AND
AMENDMENTS THERETO

A/C.3/L.1221. Philippines: articles (1-19) relating to measures of implementation to be added to provisions of draft International Convention on Elimination of All Forms of Racial Discrimination adopted by Commission on Human Rights.

A/C.3/L.1251. Statement by Secretary-General of financial implications of articles proposed by Philippines.

A/C.3/L.1266. United Kingdom: amendment to article 1.

A/C.3/L.1268. Argentina, Chile, Colombia, Ecuador, Guatemala, Honduras, Mexico, Panama, Peru, Venezuela: amendments to article 1.

A/C.3/L.1270. Netherlands: amendment to article 16.

A/C.3/L.1271. United States: amendments to articles 1, 3-6, 9, 10 and 17.

A/C.3/L.1273. Tunisia: amendment to article 11.

PROPOSALS BY GHANA AND AMENDMENTS THERETO

A/C.3/L.1274 and Rev.1. Ghana: amendments, and revised amendments, replacing articles proposed by Philippines, A/C.3/L.1221.

A/C.3/L.1278. Statement by Secretary-General of financial implications of amendments submitted by Ghana, A/C.3/L.1274.

A/C.3/L.1289. Mauritania: amendments to revised amendments (articles 1-3) submitted by Ghana, A/C.3/L.1274/Rev.1 (proposing new text for articles 1 and 2, and deletion of articles 3-14).

A/C.3/L.1290. Saudi Arabia: amendment to revised

amendments (article 12) submitted by Ghana, A/C.3/L.1274/Rev.1.

PROPOSALS BY GHANA, MAURITANIA AND
PHILIPPINES AND AMENDMENTS THERETO

A/C.3/L.1291 and Add.1. Ghana, Mauritania, Philippines: articles 8-14 relating to measures of implementation to be added to provisions of draft International Convention on Elimination of All Forms of Racial Discrimination adopted by Commission on Human Rights.

A/C.3/L.1292. Statement by Secretary-General of financial implications of 3-power proposal, A/C.3/L.1291.

A/C.3/L.1293. Ghana, Mauritania, Philippines: amendment, revising text of article 3 as originally submitted by sponsors, A/C.3/L.1291.

A/C.3/L.1294. Iraq: amendment to revised text of article 8.

A/C.3/L.1295. United Republic of Tanzania: amendments to revised text of article 8.

A/C.3/L.1296. Uruguay: amendment to revised text of article 8.

A/C.3/L.1297. Saudi Arabia: amendment to article 14.

A/C.3/L.1298. Canada: amendment to article 11.

A/C.3/L.1299. United Republic of Tanzania: amendments to article 11.

A/C.3/L.1301. Ghana, Mauritania, Philippines: revised text of article 12 originally submitted by sponsors, A/C.3/L.1291.

A/C.3/L.1302. United Republic of Tanzania: amendments to revised text of article 12.

A/C.3/L.1303. Argentina, Bolivia, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Panama, Peru: amendments to article 13.

A/C.3/L.1304. New Zealand: amendments to article 13.

A/C.3/L.1306. El Salvador: amendment to revised text of article 12.

A/C.3/L.1307. Sudan, United Arab Republic, United Republic of Tanzania: amendments to article 13.

A/C.3/L.1307/Rev.1. Mauritania, Sudan, United Arab Republic, United Republic of Tanzania: revised amendments to article 13.

A/C.3/L.1307/Rev.2 and Rev.3. Algeria, Congo (Brazzaville), Democratic Republic of Congo, Ethiopia, Ghana, Jamaica, Kenya, Liberia, Libya, Madagascar, Malawi, Mauritania, Morocco, Nigeria, Rwanda, Senegal, Sudan, Togo, Tunisia, Uganda, United Arab Republic and United Republic of Tanzania: revised amendments to article 13 as proposed by 13 powers, A/C.3/L.1308/Rev.1.

A/C.3/L.1308. Argentina, Chile, Colombia, Costa Rica, Ecuador, Ghana, Guatemala, Mauritania, Panama, Peru, Philippines: amendments to article 13 (revised text).

A/C.3/L.1308/Rev.1. Argentina, Bolivia, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Ghana, Guatemala, Mauritania, Pana-

- ma, Peru, Philippines: revised amendments to article 13 (revised text).
- A/C.3/L.1315 and Rev.1. Lebanon: sub-amendments to amendments to article 13 proposed by 11 powers, A/C.3/L.1308, and revised sub-amendments to 14-power revised text, A/C.3/L.1308/Rev.1.
- A/C.3/L.1316. Sweden: amendments to article 13, 14-power revised text, A/C.3/L.1308/Rev.1.
- A/C.3/L.1319. Lebanon and Saudi Arabia: sub-amendments to revised 22-power amendments, A/C.3/L.1307/Rev.3.
- ARTICLE 8, as proposed by Ghana, Mauritania and Philippines (A/C.3/L.1293), and as amended by Iraq (A/G.3/L.1294) and United Republic of Tanzania (A/C.3/L.1295), adopted by Third Committee on 23 November 1965, meeting 1352, by 85 votes to 0, with 6 abstentions.
- ARTICLE 9 [article 8(bis), as proposed by 3 powers, A/C.3/L.1293], as orally amended by United Kingdom, adopted by Third Committee on 23 November 1965, meeting 1352, by 87 votes to 0, with 2 abstentions.
- ARTICLE 10 [article 9 as proposed by 3 powers, A/C.3/L.1291], as orally amended by United Republic of Tanzania, adopted by Third Committee on 24 November 1965, meeting 1353, unanimously.
- ARTICLE 11 [article 10 as proposed by 3 powers, (A/C.3/L.1291)) and as orally revised by sponsors], adopted by Third Committee on 24 November 1965, meeting 1353, by 83 votes to 0, with 2 abstentions.
- ARTICLE 12 [article 11 as proposed by 3 powers, A/C.3/L.1291] and as amended by Canada (A/C.3/L.1298), by United Republic of Tanzania (A/C.3/L.1299), adopted by Third Committee on 26 November 1965, meeting 1355, by roll-call vote of 81 to 0, with 6 abstentions.
- ARTICLE 13 [article 12 as proposed by 3 powers, A/C.3/L.1301], adopted by Third Committee on 26 November 1965, meeting 1356, by 81 votes to 0, with 2 abstentions.
- ARTICLE 14 [article 13 as proposed by 14 powers, A/C.3/L.1308/Rev.1] and as amended by Lebanon (A/C.3/L.1315/Rev.1) and Sweden (A/C.3/L.1316) adopted by Third Committee on 2 December 1965, meeting 1363, by 66 votes to 0, with 19 abstentions.
- ARTICLE 15 [article 13 (bis) as proposed by 22 powers, A/C.3/L.1307/Rev.3] and as amended by Lebanon and Saudi Arabia (A/C.3/L.1319), adopted on 8 December 1965, meeting 1368, by roll-call vote of 83 to 2, with 6 abstentions.
- ARTICLE 16 [article 13, as proposed by 3 powers, A/C.3/L.1291] with amendments by New Zealand

- (A/C.3/L.1304) and oral amendments by Lebanon accepted by sponsors, adopted by Third Committee on 29 November 1965, meeting 1358, by 78 votes to 0, with 1 abstention.
- A/C.3/L.1305 and Add.1. Texts of articles 8-14 and 16 as adopted by Third Committee on 23, 24, 26 and 29 November and 2 December 1965, meetings 1352, 1353, 1355, 1356, 1358 and 1363.

PART III (ARTICLES 17-25) (FINAL CLAUSES)

- A/C.3/L.1237. Suggestions for final clauses submitted by Officers of Third Committee.
- A/C.3/L.1272. Poland: amendments to final clauses, A/C.3/L.1237.
- A/C.3/L.1313. Ghana, Mauritania, Philippines: amendments to final clauses A/C.3/L.1237.
- A/C.3/L.1314. Ghana, Mauritania, Philippines: sub-amendment to Polish amendments, A/C.3/L.1272.
- ARTICLE 17 (Final Clause I) as drafted by Committee Officers, A/C.3/L.1237, adopted by Third Committee on 6 December 1965, meeting 1366, by 75 votes to 10, with 3 abstentions.
- ARTICLE 18 (Final Clause II) as drafted by Committee Officers, A/C.3/L.1237, adopted by Third Committee on 6 December 1965, meeting 1366, by roll-call vote of 76 to 12, with 3 abstentions.
- ARTICLE 19 (Final Clause III) as drafted by Committee Officers, A/C.3/L.1237, and as amended by 3 powers, A/C.3/L.1313, adopted unanimously on 6 December 1965, meeting 1366.
- Clause IV, as drafted by Committee Officers, A/C.3/L.1237, rejected by Third Committee, as proposed by Poland, A/C.3/L.1272, on 8 December 1965, meeting 1368, by 66 votes to 3, with 8 abstentions.
- Clause V, as drafted by Committee Officers, A/C.3/L.1237, rejected by Third Committee, as proposed by Poland, A/C.3/L.1272, on 7 December 1965, meeting 1367, by 63 votes to 7, with 16 abstentions.
- Clause VI, as drafted by Committee Officers, A/C.3/L.1237, rejected by Third Committee, as orally proposed by Canada, on 8 December 1965, meeting 1368, by 25 votes to 19, with 34 abstentions.
- ARTICLE 20 (for details about voting on article 20, see below, under A/L.479).
- ARTICLE 21 (Final Clause VII), as drafted by Committee Officers, A/C.3/L.1237, adopted unanimously by Third Committee on 7 December 1965, meeting 1367.
- ARTICLE 22 (Final Clause VIII), as drafted by Committee Officers, A/C.3/L.1237, and as amended

by 3 powers (A/C.3/L.1313), adopted by Third Committee on 7 December 1965, meetings 1367, by 70 votes to 9, with 8 abstentions.

ARTICLE 23 (Final Clause IX), as drafted by Committee Officers, A/C.3/L.1237, adopted by Third Committee on 7 December 1965, meeting 1367, by 75 votes to 0, with 16 abstentions.

ARTICLE 23 (Final Clause X), as drafted by Committee Officers, A/C.3/L.1237, adopted by Third Committee on 7 December 1965, meeting 1367, by 81 votes to 0, with 10 abstentions.

ARTICLE 24 (Final Clause XI), as drafted by Committee Officers, A/C.3/L.1237, adopted by Third Committee on 7 December 1965, meeting 1367, by 78 votes to 0, with 10 abstentions.

ADOPTION OF DRAFT CONVENTION AND DRAFT RESOLUTIONS

A/C.3/L.1327. Text of draft Convention, adopted unanimously as a whole by Third Committee on 15 December 1965, meeting 1373, by roll-call vote of 87 to 0, as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burma, Byelorussian SSR, Cameroon, Canada, Central African Republic, Ceylon, Chad, China, Colombia, Congo (Brazzaville), Democratic Republic of the Congo, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, India, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Mauritania, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Spain, Sudan, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Kingdom, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstentions: None.

A/C.3/L.1330. Ghana, Guinea, United Arab Republic, United Republic of Tanzania, Yugoslavia: draft resolution, as amended orally by Greece, adopted unanimously by Third Committee on 15 December 1965, meeting 1373.

A/C.5/1051, A/6182. Statement by Secretary-General of financial implications of 5-power draft resolution, A/C.3/L.1330, and draft International Convention, A/C.3/L.1327, and Report of Fifth Committee.

A/6181. Report of Third Committee, draft resolution A.

ARTICLE 20

A/L.479. Algeria, Cameroon, Central African Repub-

lic, Chad, Congo (Brazzaville), Democratic Republic of the Congo, Ethiopia, Gabon, Ghana, Guinea, India, Iran, Japan, Jordan, Kenya, Lebanon, Liberia, Libya, Mali, Mauritania, Morocco, Nigeria, Rwanda, Saudi Arabia, Senegal, Sudan, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta: amendment to draft Convention recommended by Third Committee, A/6181 [proposing new article to follow article 19 of Third Committee's text and renumbering of articles 20-24].

A/L.480. Argentina, Colombia, Ecuador, Panama, Peru: amendment to draft Convention recommended by Third Committee, A/6181.

RESOLUTION 2106 A (xx), as proposed by Third Committee, A/6181, and as amended by 33 powers, A/L.479, adopted by Assembly on 21 December 1965, meeting 1406, by 106 votes to 0, with 1 abstention.

"The General Assembly,

"Considering that it is appropriate to conclude under the auspices of the United Nations an International Convention on the Elimination of All Forms of Racial Discrimination,

"Convinced that the Convention will be an important step towards the elimination of all forms of racial discrimination and that it should be signed and ratified as soon as possible by States and its provisions implemented without delay,

"Considering further that the text of the Convention should be made known throughout the world,

"1. Adopts and opens for signature and ratification the International Convention on the Elimination of All Forms of Racial Discrimination, annexed to the present resolution;

"2. Invites States referred to in article 17 of the Convention to sign and ratify the Convention without any delay;

"3. Requests the Governments of States and non-governmental organizations to publicize the text of the Convention as widely as possible, using every means at their disposal, including all the appropriate media of information;

"4. Requests the Secretary-General to ensure the immediate and wide circulation of the Convention and, to that end, to publish and distribute its text;

"5. Requests the Secretary-General to submit to the General Assembly reports concerning the state of ratifications of the Convention, which will be considered by the General Assembly at future sessions as a separate agenda item.

ANNEX

International Convention on the Elimination of All Forms of Racial Discrimination

"The States Parties to this Convention,

"Considering that the Charter of the United Nations is based on the principles of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action, in co-operation with the Orga-

nization, for the achievement of one of the purposes of the United Nations which is to promote and encourage universal respect for and observance of human rights and fundamental freedom for all, without distinction as to race, sex, language or religion.

"Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

"Considering that all human beings are equal before the law and are entitled to equal protection of the law against any discrimination and against any incitement to discrimination,

"Considering that the United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith, in whatever form and wherever they exist, and that the Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 (General Assembly resolution 1514(XV)) has affirmed and solemnly proclaimed the necessity of bringing them to a speedy and unconditional end,

"Considering that the United Nations Declaration on the Elimination of All Forms of Racial Discrimination of 20 November 1963 (General Assembly resolution 1904(XVIII)) solemnly affirms the necessity of speedily eliminating racial discrimination throughout the world in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person,

"Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere,

"Reaffirming that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples and the harmony of persons living side by side even within one and the same State,

"Convinced that the existence of racial barriers is repugnant to the ideals of any human society,

"Alarmed by manifestations of racial discrimination still in evidence in some areas of the world and by governmental policies based on racial superiority or hatred, such as policies of apartheid, segregation or separation,

"Resolved to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination,

"Bearing in mind the Convention concerning Discrimination in respect of Employment and Occupation adopted by the International Labour Organisation in 1958, and the Convention against Discrimina-

tion in Education adopted by the United Nations Educational, Scientific and Cultural Organization in 1960,

"Desiring to implement the principles embodied in the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and to secure the earliest adoption of practical measures to that end,

"Have agreed as follows:

PART I

Article 1

"1. In this Convention, the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

"2. This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens.

"3. Nothing in this Convention may be interpreted as affecting in any way the legal provisions of States Parties concerning nationality, citizenship or naturalization, provided that such provisions do not discriminate against any particular nationality.

"4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.

Article 2

"1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:

"(a) Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;

"(b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations;

"(c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;

"(d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization;

"(e) Each State Party undertakes to encourage, where appropriate, integrationist multi-racial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division.

"2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

Article 3

"States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

Article 4

"States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:

"(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

"(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organization or activities as an offence punishable by law;

"(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

Article 5

"In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race,

colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

"(a) The right to equal treatment before the tribunals and all other organs administering justice;

"(6) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual, group or institution;

"(c) Political rights, in particular the rights to participate in elections—to vote and to stand for election—on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

"(d) Other civil rights, in particular:

"(i) The right to freedom of movement and residence within the border of the State;

"(ii) The right to leave any country, including one's own, and to return to one's country;

"(iii) The right to nationality;

"(iv) The right to marriage and choice of spouse;

"(v) The right to own property alone as well as in association with others;

"(vi) The right to inherit;

"(vii) The right to freedom of thought, conscience and religion;

"(viii) The right to freedom of opinion and expression;

"(ix) The right to freedom of peaceful assembly and association;

"(e) Economic, social and cultural rights, in particular:

"(i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;

"(ii) The right to form and join trade unions;

"(iii) The right to housing;

"(iv) The right to public health, medical care, social security and social services;

"(v) The right to education and training;

"(vi) The right to equal participation in cultural activities;

"(f) The right of access to any place or service intended for use by the general public, such as transport, hotels, restaurants, cafes, theatres and parks.

Article 6

"States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention., as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

Article 7

"States Parties undertake to adopt immediate and effective measures, particularly in the fields of teach-

ing, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

PART II

Article 8

"1. There shall be established a Committee on the Elimination of Racial Discrimination (hereinafter referred to as the Committee) consisting of eighteen experts of high moral standing and acknowledged impartiality elected by States Parties from among their nationals, who shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as of the principal legal systems.

"2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties. Each State Party may nominate one person from among its own nationals.

"3. The initial election shall be held six months after the date of the entry into force of this Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

"4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

"5. (a) The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

"(b) For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

"6. States Parties shall be responsible for the expenses of the members of the Committee while

they are in performance of Committee duties.

Article 9

"1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted and which give effect to the provisions of this Convention: (a) within one year after the entry into force of the Convention for the State concerned; and (b) thereafter every two years and whenever the Committee so requests. The Committee may request further information from the States Parties.

"2. The Committee shall report annually, through the Secretary-General, to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of the reports and information received from the States Parties. Such suggestions and general recommendations shall be reported to the General Assembly together with comments, if any, from States Parties.

Article 10

"1. The Committee shall adopt its own rules of procedure.

"2. The Committee shall elect its officers for a term of two years.

"3. The secretariat of the Committee shall be provided by the Secretary-General of the United Nations.

"4. The meetings of the Committee shall normally be held at United Nations Headquarters.

Article 11

"1. If a State Party considers that another State Party is not giving effect to the provisions of this Convention, it may bring the matter to the attention of the Committee. The Committee shall then transmit the communication to the State Party concerned. Within three months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

"2. If the matter is not adjusted to the satisfaction of both parties, either by bilateral negotiations or by any other procedure open to them, within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter again to the Committee by notifying the Committee and also the other State.

"3. The Committee shall deal with a matter referred to it in accordance with paragraph 2 of this article after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged.

"4. In any matter referred to it, the Committee may call upon the States Parties concerned to supply any other relevant information.

"5. When any matter arising out of this article

is being considered by the Committee, the States Parties concerned shall be entitled to send a representative to take part in the proceedings of the Committee, without voting rights, while the matter is under consideration.

Article 12

"1. (a) After the Committee has obtained and collated all the information it deems necessary, the Chairman shall appoint an ad hoc Conciliation Commission (hereinafter referred to as the Commission) comprising five persons who may or may not be members of the Committee. The members of the Commission shall be appointed with the unanimous consent of the parties to the dispute, and its good offices shall be made available to the States concerned with a view to an amicable solution of the matter on the basis of respect for this Convention.

"(b) If the States parties to the dispute fail to reach agreement within three months on all or part of the composition of the Commission, the members of the Commission not agreed upon by the States parties to the dispute shall be elected by secret ballot by a two-thirds majority vote of the Committee from among its own members.

"2. The members of the Commission shall serve in their personal capacity. They shall not be nationals of the States parties to the dispute or of a State Party to this Convention.

"3. The Commission shall elect its own Chairman and adopt its own rules of procedure.

"4. The meetings of the Commission shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Commission.

"5. The secretariat provided in accordance with article 10, paragraph 3, of this Convention shall also service the Commission whenever a dispute among States Parties brings the Commission into being.

"6. The States parties to the dispute shall share equally all the expenses of the members of the Commission in accordance with estimates to be provided by the Secretary-General of the United Nations.

"7. The Secretary-General shall be empowered to pay the expenses of the members of the Commission, if necessary, before reimbursement by the States parties to the dispute in accordance with paragraph 6 of this article.

"8. The information obtained and collated by the Committee shall be made available to the Commission, and the Commission may call upon the States concerned to supply any other relevant information.

Article 13

"1. When the Commission has fully considered the matter, it shall prepare and submit to the Chairman of the Committee a report embodying its findings on all questions of fact relevant to the issue between the parties and containing such recommenda-

tions as it may think proper for the amicable solution of the dispute.

"2. The Chairman of the Committee shall communicate the report of the Commission to each of the States parties to the dispute. These States shall, within three months, inform the Chairman of the Committee whether or not they accept the recommendations contained in the report of the Commission.

"3. After the period provided for in paragraph 2 of this article, the Chairman of the Committee shall communicate the report of the Commission and the declarations of the States Parties concerned to the other States Parties to this Convention.

Article 14

"1. A State Party may at any time declare that it recognizes the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that State Party of any of the rights set forth in this Convention. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration.

"2. Any State Party which makes a declaration as provided for in paragraph 1 of this article may establish or indicate a body within its national legal order which shall be competent to receive and consider petitions from individuals and groups of individuals within its jurisdiction who claim to be victims of a violation of any of the rights set forth in this Convention and who have exhausted other available local remedies.

"3. A declaration made in accordance with paragraph 1 of this article and the name of any body established or indicated in accordance with paragraph 2 of this article shall be deposited by the State Party concerned with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General, but such a withdrawal shall not affect communications pending before the Committee.

"4. A register of petitions shall be kept by the body established or indicated in accordance with paragraph 2 of this article, and certified copies of the register shall be filed annually through appropriate channels with the Secretary-General on the understanding that the contents shall not be publicly disclosed.

"5. In the event of failure to obtain satisfaction from the body established or indicated in accordance with paragraph 2 of this article, the petitioner shall have the right to communicate the matter to the Committee within six months.

"6. (a) The Committee shall confidentially bring any communication referred to it to the attention of the State Party alleged to be violating any provision of this Convention, but the identity of the individual or groups of individuals concerned shall not be revealed without his or their express consent.

The Committee shall not receive anonymous communications.

"(6) Within three months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

"7. (a) The Committee shall consider communications in the light of all information made available to it by the State Party concerned and by the petitioner. The Committee shall not consider any communication from a petitioner unless it has ascertained that the petitioner has exhausted all available domestic remedies. However, this shall not be the rule where the application of the remedies is unreasonably prolonged.

"(b) The Committee shall forward its suggestions and recommendations, if any, to the State Party concerned and to the petitioner.

"8. The Committee shall include in its annual report a summary of such communications and, where appropriate, a summary of the explanations and statements of the States Parties concerned and of its own suggestions and recommendations.

"9. The Committee shall be competent to exercise the functions provided for in this article only when at least ten States Parties to this Convention are bound by declarations in accordance with paragraph 1 of this article.

Article 15

"1. Pending the achievement of the objectives of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514(XV) of 14 December 1960, the provisions of this Convention shall in no way limit the right of petition granted to these peoples by other international instruments or by the United Nations and its specialized agencies.

"2. (a) The Committee established under article 8, paragraph 1, of this Convention shall receive copies of the petitions from, and submit expressions of opinion and recommendations on these petitions to, the bodies of the United Nations which deal with matters directly related to the principles and objectives of this Convention in their consideration of petitions from the inhabitants of Trust and Non-Self-Governing Territories and all other territories to which General Assembly resolution 1514(XV) applies, relating to matters covered by this Convention which are before these bodies.

"(b) The Committee shall receive from the competent bodies of the United Nations copies of the reports concerning the legislative, judicial, administrative or other measures directly related to the principles and objectives of this Convention applied by the administering Powers within the Territories mentioned in sub-paragraph (a) of this paragraph, and shall express opinions and make recommendations to these bodies.

"3. The Committee shall include in its report to the General Assembly a summary of the petitions and reports it has received from United Nations

bodies, and the expressions of opinion and recommendations of the Committee relating to the said petitions and reports.

"4. The Committee shall request from the Secretary-General of the United Nations all information relevant to the objectives of this Convention and available to him regarding the Territories mentioned in paragraph 2 (a) of this article

Article 16

"The provisions of this Convention concerning the settlement of disputes or complaints shall be applied without prejudice to other procedures for settling disputes or complaints in the field of discrimination laid down in the constituent instruments of, or in conventions adopted by, the United Nations and its specialized agencies, and shall not prevent the States Parties from having recourse to other procedures for settling a dispute in accordance with general or special international agreements in force between them.

PART III

Article 17

"1. This Convention is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a Party to this Convention.

"2. This Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 18

"1. This Convention shall be open to accession by any State referred to in article 17, paragraph 1, of the Convention.

"2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 19

"1. This Convention shall enter into force on the thirtieth day after the date of the deposit with the Secretary-General of the United Nations of the twenty-seventh instrument of ratification or instrument of accession.

"2. For each State ratifying this Convention or acceding to it after the deposit of the twenty-seventh instrument of ratification or instrument of accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or instrument of accession.

Article 20

"1. The Secretary-General of the United Nations shall receive and circulate to all States which are or may become Parties to this Convention reservations made by States at the time of ratification or accession. Any State which objects to the reservation shall, within a period of ninety days from the date of the said communication, notify the Secretary-General that it does not accept it.

"2. A reservation incompatible with the object

and purpose of this Convention shall not be permitted, nor shall a reservation the effect of which would inhibit the operation of any of the bodies established by this Convention be allowed. A reservation shall be considered incompatible or inhibitive if at least two thirds of the States Parties to this Convention object to it.

"3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General. Such notification shall take effect on the date on which it is received.

Article 21

"A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

Article 22

"Any dispute between two or more States Parties with respect to the interpretation or application of this Convention, which is not settled by negotiation or by the procedures expressly provided for in this Convention, shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision, unless the disputants agree to another mode of settlement.

Article 23

"1. A request for the revision of this Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

"2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 24

"The Secretary-General of the United Nations shall inform all States referred to in article 17, paragraph 1, of this Convention of the following particulars:

"(a) Signatures, ratifications and accessions under articles 17 and 18;

"(b) The date of entry into force of this Convention under article 19;

"(c) Communications and declarations received under articles 14, 20 and 23;

"(d) Denunciations under article 21.

Article 25

"1. This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

"2. The Secretary-General of the United Nations shall transmit certified copies of this Convention to all States belonging to any of the categories mentioned in article 17, paragraph 1, of the Convention."

CO-OPERATION WITH SPECIAL COMMITTEE DEALING WITH GRANTING OF INDEPENDENCE

A/C.3/L.1329. Ghana, United Arab Republic, United

Republic of Tanzania: draft resolution, co-sponsored orally by Jamaica and Mauritania, adopted by Third Committee on 15 December 1965, meeting 1373, by 70 votes to 1, with 11 abstentions.

A/6181. Report of Third Committee, draft resolution B.

RESOLUTION 2106 B (xx), as proposed by Third Committee, A/6181, adopted by Assembly on 21 December 1965, meeting 1406, by 98 votes to 0, with 7 abstentions.

"The General Assembly,

"Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514(XV) of 14 December 1960,

"Bearing in mind its resolution 1654(XVI) of 27 November 1961, which established the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to examine the application of the Declaration and to carry out its provisions by all means at its disposal,

"Bearing in mind also the provisions of article 15 of the International Convention on the Elimination of All Forms of Racial Discrimination contained in the annex to resolution A above,

"Recalling that the General Assembly has established other bodies to receive and examine petitions from the peoples of colonial countries,

"Convinced that close co-operation between the Committee on the Elimination of Racial Discrimination, established by the International Convention on the Elimination of All Forms of Racial Discrimination, and the bodies of the United Nations charged with receiving and examining petitions from the peoples of colonial countries will facilitate the achievement of the objectives of both the Convention and the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Recognizing that the elimination of racial discrimination in all its forms is vital to the achievement of fundamental human rights and to the assurance of the dignity and worth of the human person, and thus constitutes a pre-emptory obligation under the Charter of the United Nations,

"1. Calls upon the Secretary-General to make available to the Committee on the Elimination of Racial Discrimination, periodically or at its request, all information in his possession relevant to article 15 of the International Convention on the Elimination of All Forms of Racial Discrimination;

"2. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other bodies of the United Nations authorized to receive and examine petitions from the peoples of the colonial countries, to transmit to the Committee on the Elimination of Racial Discrimination, periodically or

at its request, copies of petitions from those peoples relevant to the Convention, for the comments and recommendations of the said Committee;

"3. Requests the bodies referred to in paragraph

2 above to include in their annual reports to the General Assembly a summary of the action taken by them under the terms of the present resolution."

Measures to Implement United Nations Declaration on Elimination of All Forms of Racial Discrimination

At its 1965 session (held in Geneva, Switzerland, from 11 to 29 January), the Sub-Commission on Prevention of Discrimination and Protection of Minorities decided to carry out, in the light of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (adopted by the General Assembly on 20 November 1963)⁷ a special study of racial discrimination in the political, economic, social and cultural spheres.

On 28 July 1965, the Economic and Social Council unanimously adopted a resolution (1076(XXXIX)) welcoming the Sub-Commission's decision. It requested the Commission on Human Rights to place on the agenda of its 1966 session the question entitled "Measures for the Speedy Implementation of the Declaration on the Elimination of All Forms of Racial Discrimination," and it also decided to maintain the question on its own agenda. In addition, the Council requested the Secretary-General to submit a further report to its mid-1966 session on the action taken by United Nations Member States, the United Nations, the specialized agencies and regional inter-governmental organizations towards the implementation of the Declaration. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

On 1 November 1965, the General Assembly, in unanimously adopting a resolution (2017 (XX)) on measures to implement the Declaration on the Elimination of All Forms of Racial Discrimination, called upon all States in which racial discrimination was practised to take urgent effective steps, including legislative measures, to implement the United Nations Declaration on the Elimination of All Forms of Racial Discrimination. It requested the States where organizations were promoting or inciting racial discrimination to take all necessary measures to prosecute and/or outlaw

such organizations. States which had not yet done so were asked to inform the Secretary-General without delay of the measures they had taken to implement the Declaration. It requested the Secretary-General to submit to the General Assembly, in time for consideration at its twenty-first (1966) session, a report on the progress made in implementing the Declaration.

The Assembly also requested the Economic and Social Council to invite the Commission on Human Rights and the Sub-Commission to recommend, in the light of the special study of racial discrimination in the political, economic, social and cultural fields, any further measures which could be undertaken by the appropriate United Nations bodies with a view to eliminating all forms of racial discrimination and to submit these recommendations to the Assembly. It also recommended that a seminar on the question of the elimination of all forms of racial discrimination should be held under the programme of advisory services in the field of human rights and in the context of the programme for the International Year for Human Rights (to be observed in 1968). (For text of resolution, see DOCUMENTARY REFERENCES below.)

The resolution to this effect was adopted on the recommendation of the Assembly's Third (Social, Humanitarian and Cultural) Committee, where it was unanimously adopted on 5 October 1965, on the basis of a recommendation by the Economic and Social Council, as amended in the Third Committee with the acceptance of proposals by the Byelorussian SSR, Czechoslovakia, India, Italy, Nigeria, Poland and the United Kingdom.

⁷ See Y.U.N., 1963, pp. 344-46, text of resolution 1904(XVIII).

DOCUMENTARY REFERENCES

E/CN.4/882. Report of 17th session of Sub-Commission on Prevention of Discrimination and Protection of Minorities, Chapters V and VI.

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 521, 522.
Plenary Meeting 1392.

E/4024. Report of 21st session of Commission on Human Rights, Chapter VII.

E/4028. Note by Secretary-General.

E/AC.7/L.469. India and USSR: draft resolution, as orally revised, adopted unanimously by Social Committee on 19 July 1965, meeting 522.

E/AC.7/L.470. Statement by Secretary-General on financial implications of draft resolution E/AC.7/L.469.

E/4101. Report of Social Committee.

RESOLUTION 1076(xxxix), as recommended by Social Committee, E/4101, adopted unanimously by Council on 28 July 1965, meeting 1392.

"The Economic and Social Council,

"Bearing in mind resolutions 5 and 6 (XVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in which the Sub-Commission resolved to continue to review further developments in the field of elimination of all forms of racial discrimination and decided to carry out in the light of the Declaration on Elimination of All Forms of Racial Discrimination a special study of racial discrimination in the political, economic, social and cultural spheres,

"Noting that the question of measures of implementation of the Declaration on Elimination of All Forms of Racial Discrimination is included in the agenda of the twentieth session of the General Assembly,

"Bearing in mind the special importance of the speedy implementation in practice of the Declaration on Elimination of All Forms of Racial Discrimination,

"1. Welcomes the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake in the light of the Declaration a special study of racial discrimination in the political, economic, social and cultural spheres;

"2. Asks the Secretary-General to give necessary assistance to the Sub-Commission in preparation of this study;

"3. Requests the Commission on Human Rights to include on the agenda of its twenty-second session the question 'Measures for the speedy implementation of the Declaration on Elimination of All Forms of Racial Discrimination';

"4. Decides to maintain on the agenda of the Council's fortieth session the question of the Measures for the speedy implementation of the Declaration on Elimination of All Forms of Racial Discrimination;

"5. Requests the Secretary-General to submit to

the forty-first session of the Council a further report on the action taken by Member States, the United Nations, the specialized agencies, and regional inter-governmental organizations directed towards the implementation of the Declaration on the Elimination of All Forms of Racial Discrimination."

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meetings 1291-1293.
Plenary Meeting 1366.

A/5803. Report of Economic and Social Council to General Assembly, 19th session, Chapter IX, Section VII.

A/5947. Note by Secretary-General.

A/5947, para. 4. Text of Economic and Social Council resolution 1016(XXXVII) of 30 July 1964, as recommended by Council for adoption by Assembly, and as amended, adopted unanimously by Third Committee, on 5 October 1965, meeting 1293.

A/6003. Report of Economic and Social Council to 20th session of General Assembly, Chapter XIII, Section IV.

A/C.3/L.1193. India and Nigeria: amendment to Council's draft resolution (A/5947, para. 4).

A/C.3/L.1194. Argentina: amendment to Council's draft resolution (A/5947, para. 4)

A/C.3/L.1195. Poland: amendments to Council's draft resolution (A/5947, para. 4).

A/C.3/L.1196. Czechoslovakia: amendment to Council's draft resolution (A/5947, para. 4).

A/C.3/L.1197. Byelorussian SSR: amendment to Council's draft resolution (A/5947, para. 4).

A/6046. Report of Third Committee.

RESOLUTION 2017(xx), as recommended by Third Committee, A/6046, adopted unanimously by Assembly on 1 November 1965, meeting 1366.

"The General Assembly,

"Having considered the question of the implementation of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, contained in General Assembly resolution 1904 (XVIII) of 20 November 1963,

"Noting that racial discrimination continues to exist in some countries in spite of the decisive condemnation of it by the United Nations,

"Noting with satisfaction Economic and Social Council resolution 1076(XXXIX) of 28 July 1965, and in particular the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake, in the light of the Declaration, a special study of racial discrimination in the political, economic, social and cultural spheres,

"Recognizing that, in order to put into effect the purposes and principles of the Declaration, all States should take immediate and positive measures, including legislative and other measures, to prosecute and/or outlaw organizations which promote or incite to racial discrimination, or incite to or use violence

for purposes of discrimination based on race, colour or ethnic origin,

"1. Calls upon all States in which racial discrimination is practised to take urgent effective steps, including legislative measures, to implement the United Nations Declaration on the Elimination of All Forms of Racial Discrimination;

"2. Requests the States where organizations are promoting, or inciting to, racial discrimination to take all necessary measures to prosecute and/or outlaw such organizations;

"3. Requests the States which have not yet done so to inform the Secretary-General without delay of the measures they have taken to implement the Declaration;

"4. Requests the Secretary-General to submit to the General Assembly, in time for consideration at its twenty-first session, a report on the progress made

in the implementation of the Declaration;

"5. Request the Economic and Social Council to invite the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to recommend, in the light of the special study of racial discrimination in the political, economic, social and cultural fields envisaged in Council resolution 1076(XXXIX), any further measures which could be undertaken by the appropriate United Nations bodies with a view to eliminating all forms of racial discrimination, and to submit these recommendations to the General Assembly;

"6. Recommends that a seminar on the question of the elimination of all forms of racial discrimination should be held under the programme of advisory services in the field of human rights and in the context of the programme for the International Year for Human Rights."

Draft Declaration and Draft International Convention on the Elimination of All Forms of Religious Intolerance

DRAFT CONVENTION ON ELIMINATION OF RELIGIOUS INTOLERANCE

At its seventeenth session held in January 1965, the Sub-Commission on Prevention of Discrimination and the Protection of Minorities prepared and submitted to the Commission on Human Rights a preliminary draft International Convention on the Elimination of All Forms of Religious Intolerance, consisting of a preamble and 13 articles. The Sub-Commission also submitted to the Commission a preliminary draft, as an expression of the Sub-Commission's general views, on additional measures of implementation which might help to make the draft International Convention more effective.

At its 1965 session, the Commission on Human Rights adopted a preamble and four articles of the draft convention.

By the preamble to the proposed Convention, the States party to it would express the view: that one of the basic principles of the Charter of the United Nations was that of the dignity and equality inherent in all human beings; and that all United Nations Members States had pledged themselves to take joint and separate action in co-operation with the Organization to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. They would state the view that: the

Universal Declaration of Human Rights proclaimed the principle of non-discrimination and the right to freedom of thought, conscience, religion and belief; that the disregard and infringement of human rights and fundamental freedoms, and in particular of the right to freedom of thought, conscience, religion and belief, had brought great suffering to mankind; and that religion or belief for any one who professed either was a fundamental element in his conception of life; and that freedom to practise religion as well as to manifest a belief should be fully respected and guaranteed.

They would also consider it essential that Governments, organizations and private persons should strive to promote through education, as well as by other means, understanding, tolerance and respect in matters relating to freedom of religion and belief. The preamble would note with satisfaction the coming into force of Conventions concerning discrimination, inter alia, on the ground of religion, such as the 1958 Convention of the International Labour Organisation (ILO), on Discrimination in Respect of Employment and Occupation, adopted in 1958, the 1960 Convention of the United Nations Educational, Scientific and Cultural Organization (UNESCO) Against Discrimination in Education, and the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, adopted in 1948. The signatories would, by the preamble, ex-

press concern at manifestations of intolerance in such matters still in evidence in some areas of the world. They would also express their resolve to adopt all necessary measures to eliminate speedily all forms and manifestations of religious intolerance and to prevent and combat discrimination on the ground of religion or belief.

Article I of the draft text adopted by the Commission defined the expression "religion or belief," for the purpose of the Convention, to include theistic, non-theistic and atheistic beliefs. The expression "discrimination on the ground of religion or belief was taken to mean "any distinction, exclusion, restriction or preference based on a religion or belief which had the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life." The expression "religious intolerance" was defined as "intolerance in matters of religion or belief." The article also stated that neither the establishment of a religion, nor the recognition of a religion or belief by a State, nor the separation of Church from State, should by itself be considered religious intolerance or discrimination on the ground of religion or belief, provided that the provision was not construed as permitting violations of specific provisions of the Convention.

Article II dealt with the obligation of States party to the Convention to recognize that the religion or belief of an individual was a matter for his own conscience and should be respected accordingly. By this article, States party to the Convention would condemn all forms of religious intolerance and all discrimination on the ground of religion or belief and undertake to promote and implement policies designed to protect freedom of thought, conscience, religion or belief, to secure religious tolerance and to eliminate all discrimination on the ground of religion or belief.

By article III, States would undertake to ensure to everyone within their jurisdiction the right to freedom of thought, conscience, religion or belief. This right should include the individual's freedom: (a) to adhere or not to

adhere to any religion or belief and to change his religion or belief in accordance with the dictates of his conscience; (b) to manifest his religion or belief either alone or in community with others, and in public or in private; and (c) to express opinions on questions concerning a religion or belief. In particular, States party to the Convention would ensure to everyone within their jurisdiction freedom to worship, freedom to teach his own religious beliefs, freedom to practise his religion or belief by establishing and maintaining institutions, freedom to observe the rituals, dietary and other practices of his religion or belief, freedom to make pilgrimages, equal legal protection for places of worship, freedom to organize and maintain associations in connexion with his religion or belief, and freedom from compulsion to take an oath of a religious nature.

By another article, to be inserted after article IV of the Commission's draft, States would ensure to everyone freedom to enjoy and to exercise political, civil, economic, social and cultural rights without discrimination on the ground of religion or belief.

The Commission was 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. The Commission, however, adopted a resolution whereby it decided to give absolute priority at its 1966 session to completing the preparation of the draft Convention and requested the Economic and Social Council to draw the attention of the General Assembly to its resolution.

As requested, the Economic and Social Council, in a resolution (1074 B (XXXIX)) adopted unanimously on 28 July 1965, took note of the resolution of the Commission and brought it to the attention of the General Assembly. The resolution was adopted on the recommendation of the Council's Social Committee, which had approved it unanimously on 14 July 1965. (For text of resolution, see DOCUMENTARY REFERENCES below.)

On 1 November 1965, the General Assembly unanimously adopted a resolution (2020 (XX)) asking the Economic and Social Council to invite the Commission on Human Rights to make

every effort to complete, at the Commission's 1966 session, the draft International Convention on the Elimination of All Forms of Religious Intolerance in order that it might be submitted to the General Assembly's session in 1966. The text was adopted on the recommendation of the Assembly's Third (Social, Humanitarian and Cultural) Committee, where it had been approved by 81 votes to 0, with 6 abstentions, on 13 October 1965, on the basis of a proposal put forward by Argentina, Brazil, Canada, El Salvador, France, Israel, Italy, Jamaica, Japan, Madagascar, Mexico, the Netherlands and the United States, as orally amended by India, Mauritania and the Philippines. (For text of resolution, see DOCUMENTARY REFERENCES below.)

DRAFT DECLARATION ON THE ELIMINATION OF RELIGIOUS INTOLERANCE

By resolution 2020 (XX) referred to above, the General Assembly also requested the Economic and Social Council to invite the Commission on Human Rights to make every effort to complete, at its 1966 session, the preparation of the draft Declaration on the Elimination of All Forms of Religious Intolerance, in order that it might be submitted to the General Assembly in 1966.

In addition, the Assembly also decided to consider the draft Declaration and the draft International Convention as a matter of priority at its 1966 session. (For text of resolution, see DOCUMENTARY REFERENCES below.)

DOCUMENTARY REFERENCES

DRAFT CONVENTION ON ELIMINATION OF RELIGIOUS INTOLERANCE

E/CN.4/882. Report of 17th session of Sub-Commission on Prevention of Discrimination and Protection of Minorities, Chapter II and Annex I.

ECONOMIC AND SOCIAL COUNCIL

Social Committee, meetings 516-522, 521
Plenary Meeting 1392.

E/4024. Report of 20th session of Commission on Human Rights, Chapter II.

E/4024, Chapter XII. Draft resolution I, as recommended by Commission, adopted unanimously by Social Committee on 14 July 1965, meeting 519.
E/4100 and Add.I. Report of Social Committee, draft resolution B.

RESOLUTION 1074 B (xxxxx), as recommended by Social Committee, E/4100, adopted unanimously by Council on 28 July 1965, meeting 1392.

"The Economic and Social Council-

"Having taken note of resolution I(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."

GENERAL ASSEMBLY—20TH SESSION

Third Committee meetings 1299, 1302, 130?
Plenary Meeting 1366.

A/5803. Report of Economic and Social Council to General Assembly, 19th session, Chapter IX, Section II.

A/5939. Note by Secretary-General.

A/6003. Report of Economic and Social Council to General Assembly, 20th session, Chapter XIII, Section I.

A/C.3/L.1215. Argentina, Brazil, Canada, El Salvador, France, Israel, Italy, Jamaica, Japan, Madagascar, Mexico, Netherlands, United States: draft resolution, as orally amended, adopted by Third Committee on 13 October 1965, meeting 1303, by 81 votes to 0, with 6 abstentions.

A/C.3/L.1227. Saudi Arabia: amendment to 13-power draft resolution, A/C.3/L.1215.

A/C.3/L.1229. Philippines: amendment to 13-power draft resolution, A/C.3/L.1215.

A/6069. Report of Third Committee.

RESOLUTION 2020(xx) as recommended by Third Committee, A/6069, adopted unanimously by Assembly on 1 November 1965, meeting 1366.

"The General Assembly,

"Recalling its resolution 1781 (XVII) of 7 December 1962, requesting the Economic and Social Council to ask the Commission on Human Rights to prepare a draft declaration on the elimination of all forms of religious intolerance, to be submitted to the General Assembly for consideration at its eighteenth session, and a draft international convention on the elimination of all forms of religious intolerance,

"Noting Economic and Social Council resolution 1015 C (XXXVII) of 30 July 1964, suggesting to the General Assembly that it take a decision at its nineteenth session on the course to be followed with respect to the draft Declaration,

"Recalling resolution I(XXI) of 7 April 1965 of the Commission on Human Rights entitled 'Draft International Convention on the Elimination of All Forms of Religious Intolerance,'

"Appreciating the work already done by the Com-

mission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the draft Declaration and the draft Convention,

"1. Requests the Economic and Social Council to invite the Commission on Human Rights to make every effort to complete, at its twenty-second session, the preparation of the draft Declaration on the Elimination of All Forms of Religious Intolerance and the draft International Convention on the Elimination of All Forms of Religious Intolerance, in order that they may be submitted to the General Assembly at its twenty-first, session;

"2. Decides to consider the two drafts as a matter of priority at its twenty-first session."

DRAFT DECLARATION ON ELIMINATION OF RELIGIOUS INTOLERANCE

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meetings 1299, 1302, 1303.

Plenary Meeting 1366.

A/5803. Report of Economic and Social Council to General Assembly, 19th session, Chapter IX, Section II.

A/5925. Note by Secretary-General.

A/C.3/L.1215. Argentina, Brazil, Canada, El Salvador, France, Israel, Italy, Jamaica, Japan, Madagascar, Mexico, Netherlands and United States: draft resolution, as orally amended, adopted by Third Committee by 81 votes to 0, with 6 abstentions on 13 October 1965, meeting 1303.

A/C.3/L.1227. Saudi Arabia: amendment to 13-power draft resolution, A/C.3/L.1215.

A/C.3/L.1229. Philippines: amendment to 13-power draft resolution, A/C.3/L.1215.

A/6069. Report of Third Committee.

RESOLUTION 2020(xx) as recommended by Third Committee, A/6069, adopted unanimously by Assembly on 1 November 1965, meeting 1366 (for text, see above.)

Manifestations of Racial Prejudice and National and Religious Intolerance

On 1 November 1965, the General Assembly adopted unanimously a resolution (2019 (XX)) asking the Secretary-General to invite those United Nations Member States which had not yet done so to submit information on the action they had taken in compliance with the Assembly's resolution of 7 December 1962⁸ concerning manifestations of racial prejudice, and those which had already done so to submit additional information, if any, not later than 30 June 1966. It also decided to keep the item entitled "Manifestations of Racial Prejudice and National and Religious Intolerance" on its

agenda and to complete consideration of the item during its twenty-first (1966) session. (For full text, see DOCUMENTARY REFERENCES below.)

The resolution was adopted at a plenary meeting of the Assembly on the recommendation of the Assembly's Third (Social, Humanitarian and Cultural) Committee which had approved it by 79 votes to 0, with 2 abstentions, on 8 October 1965.

⁸ See Y.U.N., 1962, p. 339, text of resolution 1779 (XVII).

DOCUMENTARY REFERENCES

E/CN.4/882. Report of 17th session of Sub-Commission on Prevention of Discrimination and Protection of Minorities, Chapter V, paras. 365-369.

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meeting 1298.
Plenary Meeting 1366.

A/5473, Add.1, Add.1/Corr.1, Add.2; A/5703 and Add.1, 2. Report and Note by Secretary-General.
A/5924. Note by Secretary-General.

A/C.3/L.1203. United Kingdom: draft resolution.
A/C.3/L.1214 and Corr.1. France and Nigeria: draft resolution.

A/6054. Report of Third Committee, containing text of draft resolution (a combined version of A/C.3/L.1203 and A/C.3/L.1214 and Corr.1, as orally revised during debate) adopted by Third Committee

on 8 October 1965, meeting 1298, by 79 votes to 0, with 2 abstentions.

RESOLUTION 2019(xx) as recommended by Third Committee, adopted unanimously by Assembly on 1 November 1965, meeting 1366.

"The General Assembly,

"Recalling its resolution 1779(XVII) of 7 December 1962 entitled 'Manifestations of racial prejudice and national and religious intolerance,'

"Taking note of the reports of the Secretary-General containing information received from certain Governments, specialized agencies and non-governmental organizations concerning action taken in compliance with that resolution,

"1. Requests the Secretary-General to invite those Member States which have not yet done so to submit information on the action they have taken in

compliance with General Assembly resolution 1779 (XVII), and those which have already done so to submit additional information, if any, not later than 30 June 1966;

"2. Decides to keep on its agenda the item entitled 'Manifestations of racial prejudice and national and religious intolerance' and to complete consideration of this item during its twenty-first session."

Other Matters Concerning Prevention of Discrimination and Protection of Minorities

STUDIES ON DISCRIMINATION

DISCRIMINATION AGAINST PERSONS

BORN OUT OF WEDLOCK

At its seventeenth session (held in Geneva, Switzerland, from 11 to 29 January 1965) the Sub-Commission on Prevention of Discrimination and Protection of Minorities examined a second progress report on the study of discrimination against persons born out of wedlock, prepared by its Special Rapporteur, Vieno Voitto Saario.

The Sub-Commission joined with the Special Rapporteur in thanking the Governments and the non-governmental organizations which had responded to his request for information, and asked the Secretary-General to invite those Governments and non-governmental organizations which had not already supplied information to do so as soon as possible. The Sub-Commission invited Mr. Saario, taking into account the exchange of views which took place on his progress reports during the 1964 and 1965 sessions of the Sub-Commission, to submit a draft report, approximating in so far as possible the final report on the study in time for it to be considered by the Sub-Commission in 1966.

EQUALITY IN THE

ADMINISTRATION OF JUSTICE

At its 1965 session, the Sub-Committee on Prevention of Discrimination and Protection of Minorities also considered a progress report on the study of equality in the administration of justice, prepared by its Special Rapporteur, Mohammed Ahmed Abu Rannat.

The Sub-Commission asked the Special Rapporteur to continue his study and to present a second report to its 1966 session, taking into account the views expressed by the Sub-Commission. It hoped that all Members of the United Nations and members of the specialized agencies, as well as specialized agencies and non-governmental organizations, would provide

the Special Rapporteur with relevant information as soon as possible.

ENLARGEMENT OF SUB-COMMISSION

At its 1965 session, held in Geneva from 22 March to 15 April, the Commission on Human Rights adopted a resolution asking the Economic and Social Council to approve an increase in the membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities from 14 to 18 in order to assure adequate representation to different regions, legal systems and cultures.

On 28 July 1965, the Economic and Social Council agreed to this increase, in adopting resolution 1074 G (XXXIX) by 17 votes to 0, with 1 abstention. The Council did so on the recommendation of its Social Committee, which approved the text on 16 July 1965 by 25 votes to 0, with 1 abstention. (For full text, see DOCUMENTARY REFERENCES **below**.)

PROPOSAL FOR LISTING OF MEASURES FOR PROTECTION OF MINORITIES

In 1965, at its twenty-first session, the Commission on Human Rights decided to postpone discussion on a draft resolution by Austria which called for the publication of a memorandum by the Secretary-General listing and classifying special protective measures of an international character for ethnic, religious or linguistic groups and the compilation of texts of those international instruments or similar measures which were of contemporary interest and which provided special protective measures for ethnic, religious or linguistic groups.

A similar draft resolution was introduced and then withdrawn by Austria at the Economic and Social Council's mid-1965 session, when the Council, on the recommendation of its Social Committee, decided to draw the attention of the Commission on Human Rights to the original proposal introduced by Austria in the Commission.

DOCUMENTARY REFERENCES

STUDIES ON DISCRIMINATION
DISCRIMINATION AGAINST PERSONS
BORN OUT OF WEDLOCK

E/CN.4/882. Report of 17th session of Sub-Commission on Prevention of Discrimination and Protection of Minorities, Chapter III.

STUDY OF EQUALITY IN ADMINISTRATION OF JUSTICE
E/CN.4/882. Report of 17th session of Sub-Commission on Prevention of Discrimination and Protection of Minorities, Chapter IV.

ENLARGEMENT OF SUB-COMMISSION

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 520, 521.

E/4024. Report of 21st session of Commission on Human Rights, Chapter VI.

E/4100 and Add.I. Report of Social Committee, draft resolution G (proposed orally by Iraq and adopted by Social Committee on 16 July 1965, meeting 521, by 25 votes to 0, with 1 abstention).

RESOLUTION 1074 G (xxxix), as recommended by Social Committee, E/4100, adopted by Council on 28 July 1965, meeting 1392, by 17 votes to 0, with 1 abstention.

"The Economic and Social Council,

"Having considered resolution 4(XXI) adopted by

the Commission on Human Rights,

"Approves the decision of the Commission on Human Rights to increase the membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities from fourteen to eighteen in order to ensure adequate representation to different regions, legal systems and cultures."

A/6003. Report of Economic and Social Council to General Assembly, Chapter XIII, Section V.

PROPOSAL FOR LISTING
OF MEASURES FOR
PROTECTION OF MINORITIES

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 516-522, 524.
Plenary Meeting 1392.

E/CN.4/882. Report of 17th session of Sub-Commission on Prevention of Discrimination and Protection of Minorities, Chapter VII and Annex II.

E/4024. Report of 21st session of Commission on Human Rights, Chapter VII.

E/AC.7/L.462. Austria: draft resolution.

E/4100 and Add.I. Report of Social Committee, paras. 21 and 28.

E/4117. Resolutions of 39th Session of Economic and Social Council, p. 45: Other decisions taken by Council.

INTERNATIONAL YEAR FOR HUMAN RIGHTS

Preparatory measures for observing 1968 as the International Year for Human Rights were taken in 1965 by various United Nations bodies, namely, the Committee on the International Year for Human Rights, the Commission on Human Rights, the Economic and Social Council and the General Assembly. The Committee, it will be recalled, was set up in 1964 to recommend a programme of measures and activities to be undertaken by United Nations Member States, the United Nations and specialized agencies in connexion with the International Year for Human Rights.⁹

After considering a report on this by the Committee, the Commission requested the Economic and Social Council to recommend a draft resolution for adoption by the General Assembly containing recommendations on an interim programme of measures and activities to be undertaken in connexion with the International Year for Human Rights. The Commission also appointed a Working Party consisting of all

States represented on the Commission to elaborate, in co-operation with the Secretary-General, further arrangements, measures and activities to be undertaken by the United Nations in celebration of the twentieth anniversary of the Universal Declaration of Human Rights (in December 1968). This was for consideration by the Commission in 1966.

On 28 July 1965, the Economic and Social Council, acting on the basis of the Commission's recommendations, decided on a draft resolution on measures to commemorate the International Year for Human Rights, for adoption by the Assembly. The Council took this action with the unanimous adoption of resolution 1074 E (XXXIX). (For text, see DOCUMENTARY REFERENCES below.)

In another resolution adopted unanimously on 28 July 1965 (1074F (XXXIX)), on the

⁹For further details, see Y.U.N., 1963, p. 327, text or resolution 1961 (XVIII); and Y.U.N., 1964, pp. 357-58.

basis of a proposal by Iraq, the Council asked the Secretary-General to bring the report of the Working Party established by the Commission on Human Rights to the attention of the Commission on the Status of Women.

Later in the year, two Council resolutions on the matter were considered, together with various amendments, at the General Assembly's twentieth session, mainly in the Assembly's Third (Social, Humanitarian and Cultural) Committee. One was the Council's resolution 1074 E (XXXIX) of 28 July 1965 (see above) and the other was a Council resolution (1015E (XXXIX)) of 30 July 1964,¹⁰ on which the Assembly was unable to act at its nineteenth (1964) session owing to the special circumstances prevailing at that session. A single text emerged from the deliberations in the Third Committee, which this Committee approved unanimously on 13 December and which was unanimously adopted at a plenary meeting of the Assembly on 20 December 1965 as resolution 2081 (XX).

By this, the Assembly: (1) called upon Members of the United Nations and of the specialized agencies, regional inter-governmental organizations, the specialized agencies and the national and international organizations concerned to devote the year 1968 to intensified efforts and undertakings in the field of human rights, including an international review of achievements in this field; (2) urged Member States to take appropriate measures in preparation for the International Year for Human Rights, and in particular to emphasize the urgent need to eliminate discrimination and other violations of human dignity, with special attention to the abolition of racial discrimination and in particular the policy of apartheid; (3) invited all Member States to ratify before 1968 the Conventions already concluded in the field of human rights, and in particular the following: Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery; International Labour Organisation (ILO) Convention concerning the Abolition of Forced Labour; ILO Convention concerning Discrimination in respect of Employment and Occupation; the ILO Convention concerning Equal Remuneration for Men and Women Workers

for Work of Equal Value; ILO Convention concerning Freedom of Association and Protection of the Right to Organize; United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education; Convention on the Prevention and Punishment of the Crime of Genocide; Convention on the Political Rights of Women; International Convention on the Elimination of All Forms of Racial Discrimination; (4) decided to hasten the conclusion of the following draft conventions so that they might be opened for ratification and accession if possible before 1968: Draft Covenant on Civil and Political Rights; Draft Covenant on Economic, Social and Cultural Rights; Draft International Convention on Freedom of Information; (5) decided to complete by 1968 the consideration and preparation of the draft declarations which had been approved by the Commission on Human Rights and by the Commission on the Status of Women; (6) approved an interim programme of measures and activities envisaged for the United Nations and commended it to Members of the United Nations and members of the specialized agencies, to regional inter-governmental organizations, the specialized agencies and the interested international organizations; and (7) decided that an international conference on human rights should be convened during 1968 in order to: (a) review the progress which has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights; (b) evaluate the effectiveness of the methods used by the United Nations in the field of human rights, especially with respect to the elimination of all forms of racial discrimination and the practice of the policy of apartheid; (c) formulate and prepare a programme of further measures to be taken subsequent to the celebration of the International Year for Human Rights. The Assembly also decided to establish, in consultation with the Commission on Human Rights, a Preparatory Committee for the International Conference on Human Rights, consisting of 17 members, to make proposals for Assembly consideration on the agenda, duration, venue, expenses and documentation of

¹⁰ See Y.U.N., 1964, p. 358.

the Conference. The President of the General Assembly was requested to appoint the members of this Preparatory Committee, eight of whom were to be States represented on the Commission on Human Rights and two of whom were to be States represented on the Commission on the Status of Women.

An annex to the resolution outlined the theme and aims of the International Year for Human Rights and listed suggested activities to be undertaken at the national and interna-

tional levels. (For text of the resolution and annex, see DOCUMENTARY REFERENCES below.)

On 21 December 1965, the President of the General Assembly appointed the following Member States as members of the Preparatory Committee for the International Conference on Human Rights: Canada, France, India, Iran, Italy, Jamaica, New Zealand, Nigeria, the Philippines, Poland, Somalia, Tunisia, the USSR, the United Kingdom, the United States, Uruguay and Yugoslavia.

DOCUMENTARY REFERENCES

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 516-521.
Plenary Meeting 1392.

E/CN.4/886. Report of Committee on International Year for Human Rights.

E/4024. Report of 21st Session of Commission on Human Rights, Chapter IV.

E/4024, Chapter XII. Draft resolution IV, as submitted by Commission, and as amended by Austria, Gabon, United States and USSR, adopted unanimously by Social Committee on 16 July 1965, meeting 520.

E/4055. Letter of 26 May 1965 from Chairman of Special Committee on Policies of Apartheid of Government of Republic of South Africa.

E/AC.7/L.463. United States: amendments to Commission's draft resolution IV.

E/AC.7/L.467. Austria: amendments to Commission's draft resolution IV.

E/AC.7/L.468. Gabon: sub-amendment to United States amendments, E/AC.7/L.463.

E/4100 and Add.I. Report of Social Committee, draft resolution E.

RESOLUTION 1074 E (xxxix), as recommended by Social Committee, E/4100 and Add.I, adopted unanimously by Council on 28 July 1965, meeting 1392.

"The Economic and Social Council,

"Noting the report of the Commission on Human Rights on the International Year for Human Rights,

"Recalling its resolution 1015 E (XXXVII) of 30 July 1964 on the International Year for Human Rights,

"Recommends the following draft resolution to the General Assembly for consideration at its twentieth session:

"The General Assembly,

"Recalling its resolution 1961 (XVIII) of 12 December 1963 designating the year 1968 as International Year for Human Rights,

"Considering that the further promotion and development of respect for human rights and fundamental freedoms contributes to the strengthening

of peace throughout the world and to friendship between peoples,

"Considering that racial discrimination and in particular the policy of apartheid constitutes one of the most flagrant abuses of human rights and fundamental freedoms and that persistent and intense efforts must be made to secure its abandonment,

"Reaffirming the belief that the cause of human rights will be well served by an increasing awareness of the extent of the progress made, and the conviction that the year 1968 should be devoted to intensified national and international efforts and undertakings in the field of human rights and also to an international review of the achievements in this field,

"Stressing the importance of further development and implementation in practice of the principles of the protection of human rights laid down in the Charter of the United Nations, the Universal Declaration of Human Rights, the Declaration on the granting of independence to colonial countries and peoples and the Declaration on the Elimination of All Forms of Racial Discrimination,

"Convinced that an intensification of efforts in the intervening years will heighten the progress that can be made by 1968,

"Convinced further that the proposed international review of progress in the field of human rights can advantageously be carried out by means of an international conference,

"Noting the interim programme of measures and activities to be undertaken in connexion with the International Year for Human Rights and in celebration of the twentieth anniversary of the Universal Declaration of Human Rights, recommended by the Commission on Human Rights and set out in the interim programme annexed to the present resolution,

"Noting further that the Commission on Human Rights is continuing the preparation of a programme of observances, measures and activities to be undertaken in 1968,

"1. Calls upon States Members of the United Nations or members of the specialized agencies, regional inter-governmental organizations, the specialized agencies and the national and international organiza-

tions concerned, to devote the year 1968 to intensified efforts and undertakings in the field of human rights, including an international review of achievements in this field;

"2. Urges Member States to take appropriate measures in preparation for International Year for Human Rights, especially to emphasize the urgent need to eliminate discrimination and other violations of human dignity, with special attention to the abolition of racial discrimination and in particular the policy of apartheid;

"3. Confirms the necessity to implement Economic and Social Council resolution 1015 E (XXXVII) of 30 July 1964 concerning the ratification by Member States, before 1968, of the conventions already concluded in the field of human rights; the earlier conclusion of the draft conventions referred to in paragraph 2 of that resolution, so that they may be open for ratification and accession before 1968; and the completion by 1968 of the consideration and preparation of the draft declarations listed in paragraph 3 of that resolution;

"4. Approves the interim programme of measures and activities envisaged for the United Nations annexed to this resolution, and requests the Secretary-General to proceed with the arrangements for the measures to be undertaken by the United Nations set out in the Annex;

"5. Invites Member States to consider, in connexion with the International Year, the possible advantage of undertaking, on a regional basis, common studies in order to establish more effective protection of human rights;

"6. Invites regional inter-governmental organizations with competence in the field to provide the international conference envisaged for 1968 with full information on their accomplishments, programmes and other measures to realize protection of human rights;

"7. Invites the Commission on the Status of Women to participate and co-operate at every stage in the preparatory work for the International Year for Human Rights;

"8. Requests the Secretary-General to transmit the present resolution and the interim programme annexed to the resolution to States Members of the United Nations or members of the specialized agencies, regional inter-governmental organizations, the specialized agencies, and the interested international organizations;

"9. Commends to these States, regional inter-governmental organizations, agencies and organizations the programme of measures and activities set out in the Annex and invites their co-operation and participation in this programme with a view to making the celebrations successful and meaningful;

"10. Decides that, in order to develop further and guarantee political, civil, economic, social and cultural rights and to end all discrimination and denial of human rights and fundamental freedoms, on grounds of race, colour, sex, language or religion, and in particular to permit the elimination of

apartheid, an international conference on human rights should be convened during 1968 in order to:

"(a) Review the progress which has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights;

"(6) Evaluate the effectiveness of the methods used by the United Nations in the field of human rights;

"(c) Formulate and prepare a programme of further measures to be taken subsequent to the celebrations of the International Year for Human Rights;

"11. Requests the Economic and Social Council to invite the Commission on Human Rights, in particular, to elaborate for the consideration of the General Assembly the agenda, duration and venue of the conference, to make recommendations in regard to the preparation of the necessary preliminary evaluation studies and other documentation and in regard to means of defraying the expenses of the conference."

(For text of ANNEX to Economic and Social Council resolution 1074 E (XXXIX) on an interim programme for the International Year for Human Rights, see below, ANNEX to General Assembly resolution 2081 (XX).)

PARTICIPATION OF COMMISSION ON STATUS OF WOMEN IN PREPARATIONS

FOR INTERNATIONAL YEAR FOR HUMAN RIGHTS

E/AC.7/L.464. Iraq: draft resolution, adopted unanimously by Social Committee on 16 July 1965, meeting 520.

E/AC.7/L.465. Statement by Secretary-General of financial implications of draft resolution of Iraq (E/AC.7/L.464).

E/4100 and Add.I. Report of Social Committee, draft resolution F.

RESOLUTION 1074 F (xxxix), as proposed by Social Committee, E/4100 and Add.I, adopted unanimously by Council on 28 July 1965, meeting 1392.

"The Economic and Social Council,

"Considering that the Commission on Human Rights has recommended that the Commission on the Status of Women be invited to participate at every stage in the preparatory work for the International Year for Human Rights,

"Considering further that the Commission on Human Rights, in resolution 5 B (XXI), decided to appoint a Working Party to meet at United Nations Headquarters, consisting of all States represented on the Commission on Human Rights, to elaborate, in co-operation with the Secretary-General the further observances, measures and activities which the Commission should recommend to the General Assembly to be undertaken by the United Nations in celebration of the twentieth anniversary of the Universal Declaration of Human Rights, including the proposed international conference on human rights,

"1. Decides that a representative of the Commission on the Status of Women, designated by the Chairman, be invited to attend meetings of the Work-

ing Party for a brief period, preferably at a time when matters relating to the proposed international conference on human rights are under discussion;

"2. Requests the Secretary-General to bring the report of the Working Party to the attention of the Commission on the Status of Women at its nineteenth session."

GENERAL ASSEMBLY—20TH SESSION

Third Committee, meetings 1369-1371.

Plenary Meeting 1404.

A/5803. Report of Economic and Social Council to General Assembly (19th session), Chapter IX, Section VI.

A/6003. Report of Economic and Social Council to General Assembly (20th session), Chapter XIII, Section III.

A/5945. Note by Secretary-General.

A/5945, Annex I and II. Draft resolutions recommended to Assembly by Economic and Social Council (resolution 1015 E (XXXIV) and 1074 E (XXXIX)), combined in single text, and amended, adopted unanimously by Third Committee on 13 December 1965, meeting 1371.

A/C.3/L.1300. Pakistan: amendment to Council's draft resolution (A/5945, Annex II).

A/C.3/L.1318. Costa Rica, Guinea, Jamaica, Liberia, Philippines, Senegal, Trinidad and Tobago, Uganda, United Republic of Tanzania: amendments to Council's draft resolution (A/5945, Annex II).

A/C.3/L.1318/Rev.1 and Rev.2. Costa Rica, Guinea, Iran, Ivory Coast, Jamaica, Liberia, Philippines, Senegal, Trinidad and Tobago, Uganda, United Republic of Tanzania: revised amendments to Council's draft resolution (A/5945, Annex II).

A/C.3/L.1320. Statement by Secretary-General of financial implications of 9-power amendments, A/C.3/L.1318.

A/C.3/L.1322. Nigeria: sub-amendment to 9-power amendments, A/C.3/L.1318.

A/C.3/L.1323. United Kingdom: amendments to Council's draft resolution (A/5945, Annex II).

A/C.3/L.1324. Ethiopia, Ghana, India, Nigeria, Senegal, Sudan, United Arab Republic, United Republic of Tanzania: amendment to Council's draft resolution (A/5945, Annex II).

A/C.3/L.1325. Venezuela: amendment to Council's draft resolution (A/5945, Annex II).

A/6184. Report of Third Committee.

RESOLUTION 2081 (xx), as recommended by Third Committee, A/6184, adopted unanimously by Assembly on 20 December 1965, meeting 1404.

"The General Assembly,

"Recalling its resolution 1961 (XVIII) of 12 December 1963 designating the year 1968 as International Year for Human Rights,

"Considering that the Universal Declaration of Human Rights has been an instrument of the highest importance for the protection and promotion of the rights of individuals and the furtherance of peace and stability,

"Convinced that its role in the future will be of equal significance,

"Considering that the further promotion and development of respect for human rights and fundamental freedoms contributes to the strengthening of peace throughout the world and to friendship between peoples,

"Considering that racial discrimination, and in particular the policy of apartheid, constitutes one of the most flagrant abuses of human rights and fundamental freedoms and that persistent and intense efforts must be made to secure its abandonment,

"Reaffirming the belief that the cause of human rights will be well served by an increasing awareness of the extent of the progress made, and the conviction that the year 1968 should be devoted to intensified national and international efforts and undertaking in the field of human rights and also to an international review of the achievements in this field,

"Stressing the importance of further development and implementation in practice of the principles of the protection of human rights laid down in the Charter of the United Nations, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Declaration on the Elimination of All forms of Racial Discrimination,

"Convinced that an intensification of efforts in the intervening years will heighten the progress that can be made by 1968,

"Convinced further that the proposed international review of progress in the field of human rights can advantageously be carried out by means of an international conference,

"Noting the interim programme of measures and activities to be undertaken in connexion with the the International Year for Human Rights and in celebration of the twentieth anniversary of the Universal Declaration of Human Rights, recommended by the Commission on Human Rights and set out in the annex to the present resolution,

"Noting further that the Commission on Human Rights is continuing the preparation of a programme of observances, measures and activities to be undertaken in 1968,

"1. Calls upon States Members of the United Nations and members of the specialized agencies, regional inter-governmental organizations, the specialised agencies and the national and international organizations concerned to devote the year 1968 to intensified efforts and undertakings in the field of human rights, including an international review of achievements in this field;

"2. Urges Member States to take appropriate measures in preparation for the International Year for Human Rights, and in particular to emphasize the urgent need to eliminate discrimination and other violations of human dignity, with special attention to the abolition of racial discrimination and in particular the policy of apartheid;

"3. Invites all Member States to ratify before 1968 the Conventions already concluded in the field

of human rights, and in particular the following:

Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery;

International Labour Organisation Convention concerning the Abolition of Forced Labour;

International Labour Organisation Convention concerning Discrimination in respect of Employment and Occupation;

International Labour Organisation Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value;

International Labour Organisation Convention concerning Freedom of Association and Protection of the Right to Organize;

United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education;

Convention on the Prevention and Punishment of the Crime of Genocide;

Convention on the Political Rights of Women;

International Convention on the Elimination of All Forms of Racial Discrimination

"4. Decides to hasten the conclusion of the following draft conventions so that they may be open for ratification and accession if possible before 1968:

Draft Covenant on Civil and Political Rights;

Draft Covenant on Economic, Social and Cultural Rights;

Draft International Convention on the Elimination of All Forms of Religious Intolerance;

Draft Convention on Freedom of Information;

"5. Decides to complete by 1968 the consideration and preparation of the draft declarations which have been approved by the Commission on Human Rights and by the Commission on the Status of Women;

"6. Approves the interim programme of measures and activities envisaged for the United Nations annexed to the present resolution and requests the Secretary-General to proceed with the arrangements for the measures to be undertaken by the United Nations set out in the annex;

"7. Invites Member States to consider, in connexion with the International Year for Human Rights, the possible advantage of undertaking, on a regional basis, common studies in order to establish more effective protection of human rights;

"8. Invites regional inter-governmental organizations with competence in the field to provide the international conference envisaged for 1968 with full information on their accomplishments, programmes and other measures to realize protection of human rights;

"9. Invites the Commission on the Status of Women to participate and co-operate at every stage in the preparatory work for the International Year for Human Rights;

"10. Requests the Secretary-General to transmit the present resolution and the interim programme annexed thereto to States Members of the United Nations and members of the specialized agencies, regional inter-governmental organizations, the specialized

agencies and the interested international organizations;

"11. Recommends that, in view of the historic importance of the observance of the International Year for Human Rights, the United Nations Educational, Scientific and Cultural Organization should be urged to mobilize the finest resources of culture and art in order to lend the International Year for Human Rights, through literature, music, dance, cinema, television and all other forms and media of communication, a truly universal character;

"12. Commends to the States, regional inter-governmental organizations, agencies and organizations mentioned in paragraph 10 above the programme of measures and activities set out in the annex to the present resolution and invites their co-operation and participation in this programme with a view to making the celebrations successful and meaningful;

"13. Decides that, to promote further the principles contained in the Universal Declaration of Human Rights, to develop and guarantee political, civil, economic, social and cultural rights and to end all discrimination and denial of human rights and fundamental freedoms on grounds of race, colour, sex, language or religion, and in particular to permit the elimination of apartheid, an International Conference on Human Rights should be convened during 1968 in order to:

"(a) Review the progress which has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights;

"(fa) Evaluate the effectiveness of the methods used by the United Nations in the field of human rights, especially with respect to the elimination of all forms of racial discrimination and the practice of the policy of apartheid;

"(c) Formulate and prepare a programme of further measures to be taken subsequent to the celebrations of the International Year for Human Rights;

"14. Decides to establish, in consultation with the Commission on Human Rights, a Preparatory Committee for the International Conference on Human Rights, consisting of seventeen members, to complete the preparation for the Conference in 1968 and, in particular, to make proposals for the consideration of the General Assembly regarding the agenda, duration and venue of the Conference, and the means of defraying the expenses of the Conference, and to organize and direct the preparation of the necessary evaluation studies and other documentation;

"15. Requests the President of the General Assembly to appoint the members of the Preparatory Committee, eight of whom shall be States represented on the Commission on Human Rights and two of whom shall be States represented on the Commission on the Status of Women;

"16. Requests the Secretary-General to appoint an Executive Secretary for the Conference from within the Secretariat and to provide the Preparatory Committee with all necessary assistance;

"17. Requests the Preparatory Committee to report on the progress of the preparation in order that such

reports might be considered by the General Assembly at its twenty-first and twenty-second sessions.

ANNEX

International Year for Human Rights: interim programme recommended by the Commission on Human Rights

I. THE THEME OF CEREMONIES, ACTIVITIES AND CELEBRATIONS

"It is recommended that the programme of measures and activities to be undertaken throughout the International Year for Human Rights should be calculated to encourage, on as wide a basis as possible, both nationally and internationally, the protection of human rights and fundamental freedoms and to bring home to all the people the breadth of the concept of human rights and fundamental freedoms in all its aspects. The theme of the ceremonies, activities and celebrations should be: 'Greater recognition and full enjoyment of the fundamental freedoms of the individual and of human rights everywhere.' The aim should be to dramatize universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.

II. A YEAR OF ACTIVITIES

"It is agreed that all the participants in the celebrations should be invited to devote the year 1968 as a whole to activities, ceremonies and observances relating to the question of human rights. International or regional seminars, national conferences, lectures and discussions on the Universal Declaration of Human Rights, and on other declarations and instruments of the United Nations relating to human rights, may be organized throughout the year. Some countries will wish to stress the entire content of the Declaration, as further elaborated in later United Nations human rights programmes. Some participating countries may wish to emphasize, during particular periods of the International Year for Human Rights, rights and freedoms in connexion with which they have faced special problems. During each such period the Governments would review, against the standards set by the Universal Declaration of Human Rights and other declarations and instruments of the United Nations relating to human rights, the domestic legislation and the practices within their society in respect of the particular right or freedom which is the subject of that period's observances. They would assess the extent to which the right had been effectively secured, give publicity to it and make special efforts to promote among their citizens a basic understanding of its nature and significance, so that the gains already made might not easily be lost in the future. To the extent that the right or freedom had not yet been effectively secured, every effort would be made during the period towards its achievement. In the choice of subjects, priority could of course be given to rights of a civil and political character and to those of an economic, social and cultural character.

A. Measures to be undertaken by the United Nations in the period prior to the beginning of the International Year for Human Rights

1. Elimination of certain practices

"Believing that certain practices which constitute some of the grosser forms of the denial of human rights still persist within the territories of some Member States, the Commission on Human Rights recommends that the United Nations should adopt and set before the Member States, as a target to be achieved by the end of 1968, the complete elimination of the following violations of human rights:

"(a) Slavery', the slave trade, institutions and practices similar to slavery, and forced labour;

"(b) All forms of discrimination based on race, sex, language, religion, political or other opinion, national, social or ethnic origin, property, birth or other status;

"(c) Colonialism and the denial of freedom and independence.

2. International measures for the protection and guarantee of human rights

"Measures for the effective implementation of the rights and freedoms set forth in the Universal Declaration of Human Rights and other declarations and instruments of the United Nations relating to human rights have been under consideration in the United Nations for many years. The Commission on Human Rights is confident that action on the draft Covenant on Civil and Political Rights and the draft Covenant on Economic, Social and Cultural Rights, and measures of implementation, and on the other conventions or international agreements in the field of human rights listed in the draft resolution prepared by the Commission in 1964 for consideration by the General Assembly, will be completed before the beginning of the International Year for Human Rights. If, however, by the beginning of 1968, international machinery for the effective implementation of these covenants and conventions or international agreements does not form part of the instruments adopted, international measures for the guarantee or protection of human rights should be a subject of serious study during the International Year for Human Rights.

B. Measures to be undertaken by Member States in the period prior to the beginning of the International Year for Human Rights

1. Review of national legislation

"Governments are invited to review their national legislation against the standards of the Universal Declaration of Human Rights and other declarations and instruments of the United Nations relating to human rights, and to consider the enactment of new, or the amending of existing, laws to bring their legislation into conformity with the principles of the Declaration and other declarations and instruments of the United Nations relating to human rights.

2. Machinery for implementation on the national level

"All Member States are invited, as one of the mea-

sures they will undertake in connexion with the International Year for Human Rights, to establish or refine, if necessary by the end of 1968, their national machinery for giving effect to the fundamental rights and freedoms. If, for example, within any Member States, arrangements do not exist which will enable individual persons or groups of persons to bring before independent national tribunals or authorities any complaints they may have concerning the violation of their human rights and obtain effective remedies, the Member State should be invited to undertake that such arrangements will be introduced. If such arrangements already exist, the Member States should be invited to undertake to refine and improve them. This is not a recommendation that any particular improvement in machinery should be introduced. In one set of circumstances, what may be needed is the establishment of a special court; in another, the appointment of an Ombudsman or Procurator General or similar official; and in still another, simply the setting up of offices to which individual citizens may bring their complaints. The determination as to what machinery or improvement in machinery is required for giving effect to the fundamental rights and freedoms would be within the sole discretion of the Government concerned.

3. National programme of education on human rights

"Believing that there are limits to the effectiveness of laws in making the enjoyment of human rights and fundamental freedoms a reality, the Commission is convinced that a concentration of efforts on legal and institutional guarantees of human rights, although it will go far towards the achievement of the objectives we seek, will not go all the way. Attention needs to be concentrated, in addition, on means of changing some old ways of thinking on these subjects, and of rooting out deep-seated prejudices in regard to race, colour, sex, religion, and so on. In short, it is necessary to embark upon a complementary programme of education, including both adult and child education, designed to produce new thinking on the part of many people in regard to human rights. Accordingly, it is recommended that an integral part of any programme of intensification of effort to be undertaken in the next three years should be a world-wide educational programme in human rights. Such an educational programme would be consistent with the objectives of the United Nations Development Decade and also with the objectives in the field of human rights of the United Nations Institute for Training and Research. This programme should aim at mobilizing some of the energies and resources of:

"(a) Universities, colleges and other institutions of higher learning, both private and public, within Member States;

"(b) The teaching staff of primary and secondary schools;

"(c) Foundations and charitable, scientific and research institutions;

"(d) Media of information and mass communication, including the Press, radio and television;

"(e) Interested non-governmental organizations; towards the education of the people, adults and children, about the state of human rights in their communities and elsewhere, and about the further steps which need to be taken to secure the fullest and most effective realization of these rights. Member States with federal systems of government are called upon to encourage the activities in the field of human rights of local and state educational institutions.

"The success of this educational effort would be guaranteed if the national leaders within Member States would give it every encouragement. Within this effort Governments would organize conferences of universities and other institutions of higher learning within their territories and invite them to consider how the curricula and their teaching programmes might be utilized to improve the awareness in the student population of the fundamental questions of human rights, how their research programmes might be directed to this end, and how they might co-operate with other interested organizations, through extra-mural and other programmes, in furthering the aims of adult education in human rights. In this context, studies of local customs and traditions could be undertaken by national authorities with a view to examining to what extent they might be fostering and encouraging attitudes or values contrary to the principles of the Universal Declaration of Human Rights and how these customs and traditions can eventually be eliminated. Charitable and philanthropic foundations might be invited to consider making grants for programmes of research and study in this field and to make bursaries and fellowships available for research in human rights. Responsible authorities of colleges, and of elementary and secondary schools, could be invited to review their curricula and textbooks in order to eradicate bias, intentional and unintentional, towards the preservation of ideas and concepts contrary to the principles of the Universal Declaration of Human Rights, and to introduce courses of study which positively promote respect for human rights and fundamental freedoms. It has been noticed with appreciation that certain universities have already included in their curricula courses in the international protection of human rights; other universities could be guided by such programmes and benefit by those experiences. Attention is also called to the Associated Schools Project in Education for International Understanding and Co-operation, sponsored by the United Nations Educational, Scientific and Cultural Organization.

"Governments might also convene, or give encouragement to the convening of, conferences among the radio and television broadcasting services within their territories, inviting them to consider how their facilities might most usefully co-operate with other organizations within the country, and with international agencies, in advancing the effort to educate the people to have greater respect for individual rights and fundamental freedoms.

"The specialized agencies of the United Nations,

especially the United Nations Educational, Scientific and Cultural Organization and the International Labour Organisation, can make a particularly valuable contribution towards the intensification of the educational effort with the co-operation of United Nations

regional institutes, bearing in mind Economic and Social Council resolution 958 DI (XXXVI) of 12 July 1963. It is recommended that they should be invited to do so."

ADVISORY SERVICES IN HUMAN RIGHTS

ACTIVITIES IN 1965

The United Nations programme of advisory services in the field of human rights provides for assistance, at the request of Governments, in the form of advisory services of experts, seminars and fellowships.

In 1965, one international and one regional seminar were held under this programme.

A seminar on the multi-national society, held in Ljubljana, Yugoslavia, from 8 to 21 June 1965, was attended by participants from the following 19 countries: Argentina, Austria, Canada, Czechoslovakia, Ghana, India, Israel, Italy, Jamaica, Japan, Madagascar, Malaysia, Mali, Norway, the USSR, the United Kingdom, the United States, Venezuela and Yugoslavia.

Among the main topics discussed at the seminar were: measures to ensure the realization of human rights and fundamental freedoms for all without discrimination and the special rights necessary to enable ethnic, religious, linguistic or national groups to preserve their traditions, characteristics, or national consciousness (such as equal treatment of economic regions within a country and the right of the groups referred to to use their own language in everyday life, in courts of law, and in public or assembly, the right to form associations; and the right to establish autonomous educational institutions and develop their own traditions and characteristics).

A seminar on the participation of women in public life was held in Ulan Bator, Mongolia, from 3 to 17 August 1965. It was attended by participants from the following 12 countries within the geographical scope of the Economic Commission for Asia and the Far East (ECAFE): Afghanistan, Cambodia, Ceylon, India, Iran, Japan, Mongolia, Nepal, New Zealand, Pakistan, Thailand and Western Samoa. The seminar discussed such topics as: the meaning and importance of the participation of

women in public life, including their contribution to economic and social development; factors affecting their participation, such as legal status, education, economic and health conditions, and social and religious attitudes; measures needed to increase their participation at all levels; and action that might be taken to achieve these objectives.

Fifty-four fellowships in the field of human rights were awarded in 1965 (nine more than in 1964) to nationals of the following 31 countries and territories: Afghanistan, Australia, Bolivia, Canada, China, France, Greece, Hungary, India, Iran, Japan, Jordan, Laos, Libya, Madagascar, Nigeria, the Philippines, Poland, Rwanda, Saudi Arabia, Somalia, Spain, Surinam, Thailand, Trinidad and Tobago, Turkey, the United Arab Republic, the United Kingdom, the United Republic of Tanzania, the Ukrainian SSR and Yugoslavia.

The study programmes for 1965 included the following new topics: participation in local administration as a means of promoting human rights; legal aid systems and legal advice provisions for indigent persons in civil and criminal courts; protection of the human rights of non-nationals, with particular reference to resident aliens; respect for the liberty of the individual and protection of the interests of society in the field of preventive police action concerning recidivists, traffickers and procurers; abolition of the death penalty and alternative modes of punishment; and the role of women's bureaux and related government offices in furthering the status of women through legislative and other means.

ACTION BY ECONOMIC AND SOCIAL COUNCIL

On 16 July 1965, at its mid-1965 session, the Economic and Social Council approved a two-part resolution (1067 (XXXIX)) on ad-

visory services in human rights as recommended by its Social Committee.

By the first part of their resolution, adopted by 16 votes to 0, with 1 abstention, the Council recommended, *inter alia*, that the Secretary-General examine the possibility of including more funds in his annual budget estimates to enable an additional seminar on the civic and political education of women to be held annually. The Council's action was taken on the basis of a draft resolution submitted by the Commission on the Status of Women and approved unanimously, as amended, by the Social Committee on 8 July 1965. (For text of resolution, see DOCUMENTARY REFERENCES below.)

By the second part of the resolution, the Council unanimously approved, on 16 July 1965, the programme of seminars proposed for 1966 by the Secretary-General. The Council took this action on the recommendation of its Social Committee which adopted this part of the resolution unanimously on 8 July 1965, on the basis of a proposal by the USSR and the United Kingdom. (For text, see DOCUMENTARY REFERENCES below.)

By another resolution (1062(XXXIX))—adopted on 13 July 1965 by 15 votes to 0, with 3 abstentions, on the recommendation of its Technical Assistance Committee—the Council asked the General Assembly, beginning in 1966, to make provision within the approved level of that part of the regular United Nations budget dealing with technical assistance activities for an additional annual seminar or workshop on the civic and political education of women. In addition, the Council requested the Secretary-General, among other things, to submit an evaluation report in 1966 to the Commission on Human Rights, to the Commission on the Status of Women and to the Economic and Social Council, through the Technical Assistance Committee, on the fellowship programme in the field of human rights, to include a description of individual fellowships and use being made of the training received. (For details, see p. 292, text of resolution 1062(XXXIX), parts II and III.)

On 16 December 1965, the General Assembly.

in approving the United Nations budget, appropriated the sum of \$220,000 for the human rights advisory services programme. (For further details, see p. 668.)

ACTION BY GENERAL ASSEMBLY

INTERNATIONAL SEMINAR ON APARTHEID

In the report of the Economic and Social Council to the General Assembly (covering the period 16 August 1964-3 July 1965), it was stated that the President of the Council had received, too late for any action to be taken on it during the Council's mid-1965 session, a proposal for the organization, in Brazil, of an international seminar on apartheid. The proposal had been made by the Chairman of the Commission on Human Rights, the Chairman of the General Assembly's Special Committee on the South African Government's Policies of Apartheid, and the Vice-Chairman of the Commission on Human Rights, who was also the Vice-Chairman of the Special Committee.

Discussion on this proposal in the General Assembly's Third (Social, Humanitarian and Cultural) Committee led to the adoption of a resolution (2060(XX)), by 83 votes to 1, at a plenary meeting of the Assembly on 16 December 1965, by which the Assembly asked the Secretary-General to organize in 1966 an international seminar on apartheid, in consultation with the Special Committee on the South African Government's Policies of Apartheid. To enable him to use the funds needed for this, the Assembly authorized the Secretary-General to make the appropriate adjustments within the budgetary allocations approved for the 1966 programme of advisory services in human rights. (For full text, see DOCUMENTARY REFERENCES below.)

The resolution to this effect was adopted on the recommendation of the Third Committee, on 15 November 1965, on a proposal by Costa Rica, Guinea, the Philippines and Uganda, as amended by Nigeria and the United States.

SEMINAR ON ALL FORMS OF DISCRIMINATION

On 1 November 1965, acting upon another

recommendation by the Third Committee, the General Assembly unanimously adopted a resolution (2017(XX)), recommending, among other things, that a seminar on the elimination of all forms of racial discrimination should be

held under the human rights advisory services programme and in the context of the programme for the International Year for Human Rights. (See also pp. 448-49.)

DOCUMENTARY REFERENCES

DECISIONS BY ECONOMIC AND SOCIAL COUNCIL

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION

Social Committee, meetings 513-517.

Plenary Meetings 1385, 1395.

E/CN.4/877 (E/CN.6/436). Report by Secretary-General.

E/TAC/151. Financial implications of proposals for technical assistance emanating from functional commissions and committees. Report of Secretary-General, Annex I.

E/4016/Add.1. Technical assistance activities of United Nations. Report of Secretary-General, Annex II (Technical assistance in human rights. Proposed 1966 programme).

E/4023. Report by Secretary-General.

E/4025. Report of Commission on Status of Women, 18th session, Chapters II, V, and XVIII (draft resolution II) and Annex III.

E/4055. Letter of 26 May 1965 from Chairman of Special Committee on Policies of Apartheid of Government of Republic of South Africa.

E/AC.7/L.457. Note by Secretariat (excerpts from report of Technical Assistance Committee (E/4081) and relevant resolution).

CIVIC AND POLITICAL EDUCATION OF WOMEN

E/4025, Chapter XVIII. Draft resolution II, submitted by Commission on Status of Women, adopted unanimously, as amended, by Social Committee on 8 July 1965, meeting 515.

E/AC.7/L.459. United Kingdom: amendments to draft resolution II proposed by Commission on Status of Women.

E/4089. Report of Social Committee, draft resolution A.

RESOLUTION 1067 A (xxxix), as recommended by Social Committee, E/4089, adopted by Council on 16 July 1965, meeting 1385, by 16 votes to 0, with 1 abstention.

"The Economic and Social Council,

"Noting the recommendations of the Commission on the Status of Women on the desirability of assisting women to utilize their civic and political rights more effectively inter alia by providing for the training of voluntary leaders, and equipping women to participate in public services,

"Considering that seminars on the civic and political education of women are needed to accomplish this purpose,

"Believing that women's non-governmental organ-

izations may have valuable experience and special competence for assisting and equipping women for effective use of their rights and responsibilities as citizens through participation in public affairs.

"1. Invites Member States, with a view to facilitating the exercise by women of their political rights, to consider organizing national and local seminars on the participation of women in public affairs;

"2. Suggests that the national non-governmental organizations and national and local affiliates of non-governmental organizations in consultative status co-operate fully with Governments of Member States in planning, organizing and conducting such seminars;

"3. Invites interested specialized agencies, particularly the United Nations Educational, Scientific and Cultural Organization, the United Nations Food and Agriculture Organization and the International Labour Organisation, and the United Nations Children's Fund, to co-operate with Member States and with non-governmental women's organizations in carrying forward these objectives;

"4. Recommends that the Secretary-General examine the possibility of:

"(a) Holding an additional annual seminar on the civic and political education of women, in the nature of a demonstration or pilot project, which can be adapted and used for the follow-up projects at the national and local levels to equip women for more effective service to their countries;

"(b) Including in his annual budget estimates for the human rights advisory services programme, and in his supplementary estimates, additional funds to enable such a seminar to be held annually;

"(c) Providing United Nations sales publications, including particularly the new pamphlet Civic and Political Education of Women free of cost for use in seminars or workshops organized with the assistance of interested specialized agencies and non-governmental women's organizations."

PROGRAMME OF SEMINARS FOR 1966

E/AC.7/L.460. USSR and United Kingdom: draft resolution, adopted unanimously by Social Committee on 8 July 1965, meeting 517.

E/4089. Report of Social Committee, draft resolution B.

RESOLUTION 1067 B (xxxxr), as proposed by Social Committee, E/4089, adopted unanimously by Council on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Having considered the reports submitted by the Secretary-General on advisory services in the field of human rights,

"Approves the programme of seminars proposed for 1966."

DECISIONS BY GENERAL ASSEMBLY

GENERAL ASSEMBLY—20TH SESSION

Third Committee, meetings 1289, 1338-1344.

Plenary Meeting 1397.

A/5803. Report of Economic and Social Council to General Assembly (19th session), Chapter IX, Section VIII.

A/6003. Report of Economic and Social Council to General Assembly (20th Session), Chapter XIII, Section XI.

INTERNATIONAL SEMINAR ON APARTHEID

A/C.3/L.1282. Costa Rica, Guinea, Philippines: draft resolution.

A/C.3/L.1282/Rev.1. Costa Rica, Guinea, Philippines, Uganda (orally): revised draft resolution, as amended by Nigeria, A/C.3/L.1287, and United States, adopted unanimously by Third Committee on 15 November 1965, meeting 1343, by roll-call vote, as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian SSR, Cameroon, Canada, Ceylon, Chad, Chile, China, Colombia, Democratic Republic of the Congo, Costa Rica, Cuba, Czechoslovakia, Dahomey, Denmark, Ecuador, Ethiopia, Finland, France, Gabon, Ghana, Guatemala, Guinea, Honduras, Hungary, Iceland, India, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Netherlands, New Zealand,

Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Sudan, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Kingdom, United States, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia.

Against: None.

A/C.3/L.1285. Statement by Secretary-General of financial implications of revised draft resolution A/C.3/L.1282/Rev.1.

A/C.3/L.1287. Nigeria: amendment to revised draft resolution, A/C.3/L.1282/Rev.1.

A/6143. Report of Third Committee, draft resolution IV.

RESOLUTION 2060(xx), as recommended by Third Committee, A/6143, adopted by Assembly on 16 December 1965, meeting 1397, by 83 votes to 1.

"The General Assembly,

"Noting that proposals have been made to hold an international seminar on apartheid in 1966,

"Recalling that these proposals were brought to the attention of the Economic and Social Council at its thirty-ninth session.

"Requests the Secretary-General to organize in 1966, in consultation with the Special Committee on the Policies of apartheid of the Government of the Republic of South Africa and the Commission on Human Rights, an international seminar on apartheid and authorizes him to use such funds as may be necessary for the purpose, making appropriate readjustments within the budgetary allocations approved for section 14 (Human rights advisory services), part V (Technical programmes), of the United Nations budget."

(See also pp. 472, 294-95, 110, 448-49, 459-61, 668.)

THE STATUS OF WOMEN

A major achievement in 1965 with respect to efforts to advance the status of women was the adoption by the General Assembly on 1 November of the Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages. The Assembly also adopted a resolution on United Nations assistance for the advancement of women.

Other subjects dealing with the status of women which were discussed in United Nations organs during the year—in particular, at the eighteenth session of the Commission on the Status of Women, held in Teheran (Iran) from 1 to 20 March 1965, and at the thirty-ninth session of the Economic and Social Council in June-July 1965—included: political rights

of women; the draft declaration on the elimination of discrimination against women; status of women in private law; access of women to education; economic rights and opportunities for women; advisory services in the field of human rights; and the effect on national legislation of resolutions and recommendations of the Commission.

POLITICAL RIGHTS OF WOMEN

Although the Commission, during its 1965 session, expressed satisfaction with the continued progress achieved in the field of political rights of women, it regretted that there were still some countries and territories in which women had not yet obtained full political rights, and

that only 44 States were parties to the Convention on the Political Rights of Women, adopted in 1952.

On 16 July 1965, the Council, acting on a recommendation of the Commission as amended by Algeria, unanimously adopted a resolution (1068B (XXXIX)), by which it invited all Member States to intensify their efforts to accede to that Convention and to apply fully the principles contained in it; it also appealed to them to supply the Secretary-General with full information on implementation of the Convention. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

UNITED NATIONS AID IN IMPROVING THE STATUS OF WOMEN

It will be recalled that on 7 December 1962 the General Assembly called for a study on the possibility of establishing a unified long-term programme for the advancement of women, particularly in developing countries.¹¹ In 1965, the Commission considered a preliminary report by the Secretary-General, which contained the comments and observations of Governments, specialized agencies, the United Nations Children's Fund (UNICEF) and non-governmental organizations on the possibilities of providing and developing new resources for such a programme. The report also contained a summary statement of available resources for the advancement of women, as requested by the Commission in 1963.

The Commission asked the Secretary-General to arrange for the printing of the statement of available resources and invited Member States and non-governmental organizations to make use of the publication when formulating plans and policies to effect a more integrated programme of United Nations—assisted systems and governmental and non-governmental schemes for the advancement of women in their respective countries.

ESTABLISHMENT OF CENTRES FOR TRAINING WOMEN LEADERS

On the basis of a recommendation by the Commission, as amended by Iraq and the United States, the Council unanimously adopted a resolution on 16 July 1965 (1068 C(XXXIX))

on the establishment of centres for training competent corps or cadres of women leaders. Noting the importance of training such corps or cadres of leaders, especially in the developing countries, particularly of women leaders, in order to enable women to participate fully in the economic, social and political life of their respective countries and in science and technology, the Council thereby: (1) drew the attention of United Nations Member States to the advantage of establishing centres, or of taking other appropriate measures, for the training of such cadres; (2) recommended that the appropriate authorities, in preparing the various United Nations assistance programmes, consider the provision of aid to countries which applied for it, for training appropriate cadres of women to help in the advancement of their countries; and (3) recommended that the specialized agencies also consider the possibility of supplying such assistance.

(For full text, see DOCUMENTARY REFERENCES below.)

USE OF TECHNICAL ASSISTANCE AND OTHER RESOURCES

On 16 July, acting on the basis of a Commission recommendation, as amended by France, Iraq and the United Kingdom, the Economic and Social Council unanimously adopted a resolution (1068 B (XXXIX)) on the use of resources available for the advancement of women through technical assistance and other programmes. By this, the Council recommended that United Nations Member States, particularly those making use of technical co-operation programmes, should give greater priority to projects and programmes directed towards the advancement of women; and drew their attention to a number of methods considered likely to assist them in this purpose. The Council also invited the Secretary-General of the United Nations and the executive heads of the specialized agencies: (a) to encourage the participation of women in projects requested by Governments, and to draw the attention of Resident Representatives of the Technical As-

¹¹ See Y.U.N., 1962, p. 355, text of resolution 1777 (XVII).

sistance Board and Directors of the United Nations Special Fund projects to the importance of this request; (b) to continue and, if possible, to increase the use of qualified women as technical experts; and (c) to ensure that all technical co-operation experts should be alert to the potential of woman-power for national development. The attention of United Nations Member States and interested bodies was drawn to the possibility of using technical assistance on a payment basis (under "funds-in-trust" arrangements) for the advancement of women. Non-governmental organizations in consultative status were invited to co-operate and to report to the Commission on any new projects undertaken on a regional or national basis. (For full text, see DOCUMENTARY REFERENCES below.)

CIVIC AND POLITICAL

EDUCATION OF WOMEN

On 16 July 1965, the Economic and Social Council adopted a resolution on the civic and political education of women under the programme of advisory services in the field of human rights. The resolution was based on a proposal by the Commission, amended by Iraq and the United Kingdom.

By this resolution (1067 A (XXXIX)), the Council, among other things, invited United Nations Member States to consider organizing national and local seminars on the participation of women in public affairs; suggested that the non-governmental organizations and their affiliates in consultative status co-operate fully with Governments of Member States in planning, organizing and conducting such seminars; invited interested specialized agencies to co-operate in this, and recommended that the Secretary-General examine the possibility of: (a) holding an additional annual seminar or workshop on the civic and political education of women, in the nature of a demonstration or pilot project; (b) including in his annual and supplementary budget estimates additional funds for such an annual seminar; and (c) providing free copies of United Nations sales publications, particularly the new pamphlet *Civic and Political Education of Women*, for use in seminars or workshops organized with the assistance of interested specialized agencies

and non-governmental women's organizations. (For text of resolution, see DOCUMENTARY REFERENCES below. See also p. 464, for further details.)

DECISION BY GENERAL ASSEMBLY

On 16 December 1965, the General Assembly, on the recommendation of its Third (Social, Humanitarian and Cultural) Committee, unanimously adopted a resolution (2059 (XX)) on United Nations assistance for the advancement of women, stating its belief that the co-ordination and development of the various programmes concerning the status of women should be implemented through a unified, long-term United Nations programme for the advancement of women. By this resolution, the Assembly, among other things: (1) welcomed the Council's resolution of 16 July 1965 on the use of technical assistance resources (1068C (XXXIX)) and the establishment of centres for training women leaders; (2) invited the specialized agencies and the international non-governmental organizations to continue their efforts to improve the status of women; and (3) requested the Secretary-General to continue to study the possibility of expanding assistance which could be rendered for the advancement of women in developing countries and to keep the Economic and Social Council and the General Assembly informed on developments, especially with regard to the possibility of establishing a unified long-term United Nations programme for the advancement of women. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

The resolution to this effect was sponsored by Afghanistan, Algeria, Chile, Colombia, Guinea, Iran, Madagascar and Morocco, amended by Finland and Poland, and approved unanimously by the Third Committee on 13 November 1965.

SEMINARS

During 1965, from 3 to 17 August, a seminar on the participation of women in public life was held in Ulan Bator, Mongolia, for participants from countries within the geographical scope of the United Nations Economic Commission for Asia and the Far East (ECAFE).

This was the fourth United Nations seminar on this particular subject and the seventh dealing with the status of women. (For further details, see p. 462.)

STATUS OF WOMEN IN PRIVATE LAW

RECOMMENDATION ON CONSENT TO MARRIAGE, MINIMUM AGE FOR MARRIAGE AND REGISTRATION OF MARRIAGES

In 1962, it will be recalled, the General Assembly, after completing work on the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, requested the Economic and Social Council to ask the Commission on the Status of Women to review the draft Recommendation on the same subject in the light of the Assembly's discussions on the Convention and to report back to the Assembly at its eighteenth (1963) session.¹² In 1963, the Commission revised the draft Recommendation, making its substantive provisions almost identical with those of the Convention.

Due to lack of time at its eighteenth session in 1963 and the special circumstances prevailing the following year at the nineteenth session, the General Assembly was unable to consider the revised draft Recommendation until its twentieth session in 1965.

On 1 November 1965, the General Assembly approved the Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages with the adoption, by 95 votes to 0, with 2 abstentions, of resolution 2018 (XX). It did so on the recommendation of its Third (Social, Cultural and Humanitarian) Committee, which approved it on 6 October 1965 by 87 votes to 0, with 1 abstention.

By this resolution, the Assembly recommended that where not already provided for by existing legislative or other measures, each Member State should take the necessary steps, in accordance with its constitutional processes and its traditional and religious practices, to adopt appropriate legislative or other measures to give effect to the following three principles:

Principle I. (a) No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person, after due publicity and in

the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law. (b) Marriage by proxy shall be permitted only when the competent authorities are satisfied that each party has, before a competent authority and in such manner as may be prescribed by law, fully and freely expressed consent before witnesses and not withdrawn such consent.

Principle II. Member States shall take legislative action to specify a minimum age for marriage, which in any case shall not be less than fifteen years of age; no marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses.

Principle III. All marriages shall be registered in an appropriate official register by the competent authority.

The Assembly further recommended that Member States should: (a) take steps to take legislative action on the Recommendation at the earliest practicable moment and, if possible, no later than 18 months after the adoption of the Recommendation; and (b) inform the Secretary-General regularly on their law and practice with regard to matters dealt with in the Recommendation. The Commission was invited to examine the information received from Member States pursuant to the Recommendation and to report thereon to the Economic and Social Council. (For full text of resolution, See DOCUMENTARY REFERENCES below.)

DISSOLUTION OF MARRIAGE, ANNULMENT OF MARRIAGE AND JUDICIAL SEPARATION

At its 1965 session, the Commission on the Status of Women considered a report by the Secretary-General on the dissolution of marriage, annulment of marriage and judicial separation, based on information supplied by 44 Governments in reply to a questionnaire. The purpose of this report, requested by the Commission at its fifteenth session, was to enable the Commission to determine to what extent article 16 of the Universal Declaration of Human Rights (which states that men and women

¹² See Y.U.N., 1962, p. 331, text of resolution 1763 B (XVII).

of full age "are entitled to equal rights as to marriage, during marriage, and at its dissolution") was taken into account in national legislation.

On the basis of the Commission's recommendation, as amended by Algeria and the United Kingdom, the Economic and Social Council on 16 July 1965 unanimously adopted a resolution (1068 F(XXXIX)), recommending that United Nations Member Governments take all possible measures to ensure equality of rights between men and women in the event of dissolution of marriage, annulment of marriage and judicial separation. It also recommended the following principles for ensuring such equality, taking account of the special characteristics of legislation in different countries: (a) facilities for reconciliation should be made available; (b) divorce or judicial separation should be granted only by a competent judicial authority and should be legally recorded; (c) both spouses should have the same rights and should have available the same legal grounds and legal defences in proceedings for divorce, annulment and judicial separation; (d) the right of either spouse to give or withhold full and free consent should be ensured by law in the event of divorce on the ground of mutual consent in countries where mutual consent is a ground for divorce; (e) in proceedings regarding custody of children, the interest of children should be the paramount consideration; (f) divorce, annulment of marriage, judicial separation or dissolution of marriage by death should not have as a consequence an inequality in legal status and capacity of men and women. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

EDUCATION AND TRAINING OF WOMEN

TECHNICAL AND VOCATIONAL TRAINING

Both the Commission and the Council emphasized the need for better vocational guidance and training for girls and women. The Commission requested the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) to continue to include information on the technical and vocational education and training of girls in their regular reports

to the Commission and asked the Secretary-General, in co-operation with the specialized agencies, to submit a review of the implementation of United Nations recommendations on the subject.

On 16 July 1965, the Council unanimously adopted a resolution (1068 G(XXXIX)) recommending that United Nations Member States take all possible steps to promote the access of women to education at all levels and to vocational and technical training. It urged them to promote by all possible means a full and active role for women in economic and social fields; and invited those States which had not already done so to ratify as soon as possible the ILO Convention concerning Discrimination in respect of Employment and Occupation and the UNESCO Convention against Discrimination in Education, and to accept the principles laid down in the ILO Recommendation concerning Vocational Training and the UNESCO International Recommendation on Technical and Vocational Education. The resolution to this effect was based on a text proposed by the Commission, as amended by Ecuador, Iraq and the United Kingdom. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

During its eighteenth session in 1965, the Commission also discussed part-time work and the importance of opportunities for part-time employment for women with family responsibilities. Noting that the International Labour Office was making a further study of part-time work, the Commission expressed the hope that it would report the results at an early session.

LITERACY AND CONTINUING EDUCATION OF WOMEN

In 1965, both the Commission and the Economic and Social Council stressed the vital need to extend educational opportunities for women, since, it was observed, the position of women in society depended in large measure on their level of education. On the basis of recommendations by the Commission, the Council adopted, with amendments by the United Kingdom, two resolutions relating to the education of women and girls.

By resolution 1068 H(XXXIX), unanimously approved on 16 July 1965, the Council,

recognizing that on a world basis illiteracy was more extensive among women than among men, and convinced that literacy was a prerequisite to an effective advancement of women in all fields and of women's participation in community life, recommended that United Nations Member States give a prominent place to programmes for women in planning their national literacy programmes and take account of the special problems affecting women in rural areas. It invited UNESCO to encourage the inclusion in the experimental programmes to be launched in various countries during 1966 of projects relating particularly to the literacy education of women and their civic, social and economic education. It also invited UNESCO to devote particular attention at the forthcoming World Congress of Education Ministers at Teheran, Iran, to problems relating to the literacy education and continuing education of women. (For full text, see DOCUMENTARY REFERENCES below.)

ACCESS OF GIRLS AND WOMEN TO SECONDARY AND HIGHER EDUCATION

By resolution 10681 (XXXIX), also unanimously adopted on 16 July 1965, the Council stressed the importance of the role of ordinary, teacher-training, vocational and technical secondary education in preparing girls for responsibilities in civil, political, economic and social fields. It made the point that women who had had secondary and higher education had a specially important role in raising the educational standard and thereby developing the social maturity of the population. Considering the need for using fully the intellectual capacities of women both in the industrialized and developing countries, the Council also recommended that United Nations Member States should: (a) make provision, in planning their education systems, for measures needed to assure girls, on a footing of complete equality with boys, access to secondary education, whether ordinary, teacher-training, vocational or technical; (b) adopt the necessary measures to ensure that boy and girl pupils of all secondary establishments could obtain guidance to enable them to proceed to the type of secondary education best suited to their aptitudes;

(c) ensure that girls who had completed their secondary studies had equal opportunities with boys for access to jobs and occupations for which these studies fitted them, and that those qualified for higher education had equal opportunities with boys for access to it; (d) take advantage, in developing the educational institutions required for increasing the number of women teachers in secondary education, of all the possibilities offered by technical assistance. The Council also invited UNESCO to devote particular attention, in all its activities concerning secondary education and the planning of education, to the opportunities offered to girls in secondary education. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

REGIONAL CO-OPERATION

In another resolution (1068 D (XXXIX)), unanimously adopted on 16 July 1965 on the Commission's recommendation, the Council recommended that national commissions on the status of women, or existing national groups with similar interests, organize regional meetings or seminars, the reports on which would be sent for information to the United Nations Commission on the Status of Women. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

OTHER MATTERS

DRAFT DECLARATION ON ELIMINATION OF DISCRIMINATION AGAINST WOMEN

On 5 December 1963, the General Assembly had unanimously adopted a resolution asking the Economic and Social Council to invite the Commission on the Status of Women to prepare a draft declaration on the elimination of discrimination against women for possible consideration at the Assembly's twentieth (1965) session.¹³

In response to the Assembly's invitation, 30 Governments, four specialized agencies and 15 non-governmental organizations submitted comments and proposals relating to the principles that might be incorporated in such a declaration.

¹³ See Y.U.N., 1963, pp. 357-58, text of resolution 1921 (XVIII).

Unable to complete its work on the draft declaration at its 1965 session, the Commission decided to ask the Secretary-General to circulate the text of a 13-article draft declaration prepared by a drafting committee, together with other texts and records of the Commission's debates, to members of the Commission, and to circulate the comments received to all Commission members before its 1966 session.

FAMILY PLANNING

A resolution on family planning was adopted

by the Commission at its eighteenth session suggesting that non-governmental organizations in consultative status study the possibility of making available the increasing fund of knowledge in this field as a source of assistance to married couples in fulfilling their parental responsibilities. The Commission asked the Secretary-General to prepare a report on the effect of the lack of family planning on the status of women in countries suffering from overpopulation and the relation between family planning and the advancement of women.

DOCUMENTARY REFERENCES

POLITICAL RIGHTS OF WOMEN

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 508-513.
Plenary Meeting 1385.

E/4025. Report of 18th session of Commission on Status of Women, Chapter II.

E/4025, Chapter XVIII. Draft resolution I, as recommended by Commission, and as amended orally by Algeria, adopted by Social Committee on 2 July 1965, meeting 510, by 19 votes to 0, with 1 abstention.

E/4088. Report of Social Committee, draft resolution B.

E/L.1077. Communication from USSR dated 5 July 1965 transmitting letter and memorandum from German Democratic Republic.

RESOLUTION 1068 B (xxxix), as recommended by Social Committee, E/4088, adopted unanimously by Council on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Noting the progress achieved during recent years in the field of political rights of women,

"Noting however that the Convention on the Political Rights of Women is still far from being an instrument of universal scope,

"Noting further that a large number of States have not supplied the Secretary-General with information concerning the implementation of the principles stated in that Convention,

"1. Invites all Member States to intensify action with a view to acceding to the Convention on the Political Rights of Women and to apply fully the principles contained in that Convention;

"2. Appeals to all Member States to supply the Secretary-General in due time, in accordance with Council resolution 961 B (XXXVI) of 12 July 1963, with full information on the implementation of the Convention on the Political Rights of Women."

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meetings 1338-1340.

A/6003. Report of Economic and Social Council to General Assembly, Chapter XIII, Section X.

A/6036. Constitutions, electoral laws and other legal instruments relating to political rights of women. Memorandum by Secretary-General.

A/6143. Report of Third Committee on Reports of Economic and Social Council, paras. 34-37.

UNITED NATIONS AID IN
IMPROVING THE STATUS OF WOMEN
DECISIONS BY ECONOMIC
AND SOCIAL COUNCILESTABLISHMENT OF CENTRES FOR
TRAINING WOMEN LEADERS

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 508-513.
Plenary Meeting 1385.

E/4025. Report of Commission on the Status of Women, Chapter IV.

E/4025, Chapter XVIII. Draft resolution III, as recommended by Commission, and as amended by Iraq and United States, adopted unanimously by Social Committee on 5 July 1965, meeting 512.

E/AC.7/L.450. United States: amendment to Commission's draft resolution III.

E/AC.7/L.456. Iraq: amendments to Commission's draft resolution -III.

E/4088. Report of Social Committee, draft resolution C.

RESOLUTION 1068 c (xxxix), as recommended by Social Committee, E/4088, adopted unanimously by Council on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Noting the importance of training competent corps or cadres of leaders, especially in the developing countries, particularly of women leaders, in order to enable women to participate fully in the economic, social and political life of their respective countries and also in science and technology,

"Taking into account the complexity of the func-

tions that these women leaders or cadres would assume and the various kinds of assistance which would have to be supplied for their training,

"1. Draws the attention of Member States to the advantage of establishing centres or taking any other appropriate measures for the training of such cadres;

"2. Recommends to the appropriate authorities that, in preparing the various United Nations assistance programmes, consideration be given to providing assistance to countries which apply for it towards the training of appropriate cadres of women for assisting the advancement of their countries;

"3. Recommends to the specialized agencies that they consider the possibility of also supplying assistance of this kind."

USE OF TECHNICAL ASSISTANCE AND OTHER RESOURCES

E/4025. Report of Commission on Status of Women, Chapter IV.

E/4025, Chapter XVIII. Draft resolution V, as recommended by Commission, and as amended by France, Iraq and United Kingdom, adopted unanimously by Social Committee on 2 July 1965, meeting 511.

E/AC.7/L.451. France and United Kingdom: amendment to Commission's draft resolution V.

E/4088. Report of Social Committee, draft resolution E.

RESOLUTION 1086 E (xxxix), as recommended by Social Committee, E/4088, adopted unanimously by Council on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Noting the recommendation of the Commission on the Status of Women with regard to greater use of technical assistance and other United Nations resources for the advancement of women,

"Believing that the full participation of women is essential to the social and economic development of a nation,

"1. Recommends to Member States, and especially to those making use of technical co-operation programmes, that they give greater priority to projects and programmes directed towards the advancement of women and draws their attention to the following methods likely to assist them in accomplishing this purpose:

"(a) Participation of a substantial number of women in all technical co-operation training projects and programmes, including especially those relating to education on any level, vocational and technical training, and fellowships;

"(b) Creation of a special unit in the national Government, set up as a continuing body, to survey needs, develop policies and programmes for the advancement of women, including co-ordination of plans and resources and to advise on any changes in legislation or practice necessary to improve the status of women;

"(c) Co-operation with the United Nations and

the specialized agencies in seminars, training courses and similar opportunities for the exchange of experience in the advancement of women;

"2. Invites the Secretary-General of the United Nations and the executive heads of the specialized agencies:

"(a) To encourage the participation of women in projects requested by Governments, and to draw the attention of resident representatives of the Technical Assistance Board and directors of the Special Fund programmes to the importance of this request;

"(b) To continue and, if possible, increase the use of qualified women as technical experts;

"(c) To ensure that all technical co-operation experts are alert to the potential of woman-power for national development;

"3. Calls the attention of Member States and interested bodies to the possibility of technical assistance on a payment basis ('funds-in-trust' arrangements) which might be utilized for the advancement of women;

"4. Invites non-governmental organizations in consultative status to co-operate in action along the above lines, and to report to the nineteenth session of the Commission on any new projects they are undertaking on a regional or national basis for the advancement of women."

PUBLICATION OF REPORT OF SECRETARY-GENERAL ON RESOURCES AVAILABLE TO MEMBER STATES FOR ADVANCEMENT OF WOMEN

E/4025. Report of 18th session of Commission on Status of Women. Chapter IV, paras. 142-147.

CIVIC AND POLITICAL EDUCATION OF WOMEN ECONOMIC AND SOCIAL COUNCIL—39TH SESSION Social Committee, meetings 513-515. Plenary Meeting 1385.

E/4023. Advisory services in field of human rights. Report by Secretary-General.

E/4025. Report of 18th session of Commission on Status of Women, Chapters II and V.

E/4025, Chapter XVIII. Draft resolution II, as recommended by Commission and as amended by Iraq and United Kingdom, adopted unanimously by Social Committee on 6 July 1965, meeting 515.

E/AC.7/L.457. Advisory services in field of human rights. Note by Secretariat (excerpts from report of, and resolution adopted by, Technical Assistance Committee (E/4081)).

E/AC.7/L.459. United Kingdom: amendments to Commission's draft resolution II.

E/4089 and Corr.1. Report of Social Committee, draft resolution A.

RESOLUTION 1067 A (xxxix), as recommended by Social Committee, E/4089, adopted by Council on 16 July 1965, meeting 1385, by 16 votes to 0, with 1 abstention.

(For text, see p. 464.)

DECISION BY GENERAL ASSEMBLY

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meetings 1338-1342.
Plenary Meeting 1397.

A/6003. Report of Economic and Social Council to General Assembly, Chapter XIII, Section X.

A/C.3/L.1284. Afghanistan, Algeria, Guinea, Iran, Madagascar, Morocco: draft resolution.

A/C.3/L.1284/Rev.I. Afghanistan, Algeria, Chile, Colombia, Guinea, Iran, Madagascar, Morocco: revised draft resolution, as amended by Finland and Poland, adopted unanimously by Third Committee on 13 November 1965, meeting 1342.

A/C.3/L.1286. Finland and Poland: amendment to revised eight-power draft resolution, A/C.3/L.1284/Rev.I.

A/6143. Report of Third Committee, draft resolution III.

RESOLUTION 2059 (xx), as recommended by Third Committee, A/6143, adopted unanimously by Assembly on 16 December 1965, meeting 1397.

"The General Assembly,,

"Recalling Economic and Social Council resolution 771 H (XXX) of 25 July 1960 and General Assembly resolution 1509(XV) of 12 December 1960 concerning special assistance by the United Nations and the specialized agencies for the advancement of women in developing countries,

"Recalling General Assembly resolutions 1777 (XVII) of 7 December 1962 and 1920(XVIII) of 5 December 1963,

"Reaffirming Economic and Social Council resolution 1068 A (XXXIX) of 16 July 1965, in which the Council took note of the report of the Commission on the Status of Women on its eighteenth session, which was held at Teheran from 1 to 20 March 1965,

"Recognizing the importance of the work accomplished by the Commission on the Status of Women,

"Recognizing the contribution of the specialized agencies and the non-governmental organizations in the matter of improving the status of women,

"Believing that the co-ordination and development of the various programmes concerning the status of women should be implemented through a unified, long-term United Nations programme for the advancement of women,

"Recognizing that it is appropriate to draw the attention of world public opinion to the importance of the contribution which women can make to national development and to the consequent need to solve the problem of the status of women and their emancipation,

"1. Welcomes Economic and Social Council resolution 1068 E (XXXIX) of 16 July 1965, in which the Council recommended to Member States, and especially to those making use of technical as-

sistance, that they give greater priority to projects and programmes directed towards the advancement of women, and invites the Secretary-General of the United Nations and the executive heads of the specialized agencies to encourage the participation of women in projects submitted by Member States;

"2. Welcomes Economic and Social Council resolution 1068 C (XXXIX) of 16 July 1965, in which the Council emphasized the importance of training appropriate cadres, especially in the developing countries, in order to enable women to participate fully in the economic, social, cultural and political life of their respective countries;

"3. Welcomes the support given by the Economic and Social Council to the other recommendations made by the Commission on the Status of Women at its eighteenth session;

"4. Invites the specialized agencies and the international non-governmental organizations to continue their efforts for the improvement of the status of women;

"5. Requests the Secretary-General to continue to study especially the possibility of expanding the assistance which can be rendered for the advancement of women in developing countries;

"6. Invites the Secretary-General to co-operate with the Commission on the Status of Women to these ends;

"7. Further requests the Secretary-General to keep the Economic and Social Council and the General Assembly informed on developments in this respect, especially with regard to the possibility of establishing a unified, long-term United Nations programme for the advancement of women;

"8. Expresses its appreciation to the Government of Iran for its generous invitation, which enabled the Commission on the Status of Women to hold its eighteenth session at Teheran in conditions that were particularly favourable for its work."

SEMINARS

ST/TAO/HR/24. 1965 Seminar on Participation of Women in Public Life, Ulan Bator, Mongolia, 3 to 17 August 1965.

STATUS OF WOMEN IN PRIVATE LAW RECOMMENDATION ON CONSENT TO MARRIAGE, MINIMUM AGE FOR MARRIAGE AND REGISTRATION OF MARRIAGES

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meetings 1294, 1295.
Plenary Meeting 1366.

A/5922. Draft Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages. Memorandum by Secretary-General.

A/5922, Annex I. Text of Economic and Social Council. Resolution 961 H (XXXVI) of July 1963, forwarding draft recommendation to General Assembly.

PREAMBLE

Paragraph 1 of preamble, as forwarded by Council and as amended by Uganda and Venezuela (A/C.3/L.1200), adopted unanimously by Third Committee on 6 October 1965, meeting 1295.

A/C.3/L.1200. Uganda and Venezuela: amendment.

Paragraphs 2 and 3 of preamble, as forwarded by Council, adopted unanimously by Third Committee on 6 October 1965, meeting 1295.

New Fourth Paragraph

A/C.3/L.1199. Romania: amendment, proposing new fourth paragraph, adopted unanimously by Third Committee on 6 October 1965, meeting 1295.

New Fifth Paragraph

New fifth paragraph [fourth paragraph as forwarded by Council], as amended by Romania (A/C.3/L.1199), adopted unanimously by Third Committee on 6 October 1965, meeting 1295.

A/C.3/L.1199. Romania: amendment to fourth preambular paragraph as forwarded by Council.

OPERATIVE PARAGRAPHS

Operative paragraph 1, as a whole and as amended, adopted by Third Committee on 6 October 1965, meeting 1295, by 77 votes to 0, with 10 abstentions.

A/C.3/L.1198. Saudi Arabia: amendment to replace operative paragraph 1 (b) as forwarded by Council.

A/C.3/L.1202. Madagascar and Uganda: amendment to operative paragraph 1, sub-paragraph 2, as forwarded by Council.

Operative paragraphs 2-6, as forwarded by Council, adopted unanimously by Third Committee on 6 October 1965, meeting 1295.

DRAFT RECOMMENDATION

Draft recommendation, as forwarded by Council in resolution 961 H (XXXVI), and as amended, adopted as a whole by Third Committee on 6 October 1965, meeting 1295, by 87 votes to 0, with 1 abstention.

A/6066/Rev.1. Report of Third Committee.

RESOLUTION 2018(xx) as recommended by Third Committee, A/6066/Rev.1, adopted by Assembly on 1 November 1965, meeting 1366, by 95 votes to 0, with 2 abstentions.

"The General Assembly,

"Recognizing that the family group should be strengthened because it is the basic unit of every society, and that men and women of full age have the right to marry and to found a family, that they are entitled to equal rights as to marriage and that marriage shall be entered into only with the free and full consent of the intending spouses, in accordance with the provisions of article 16 of the Universal Declaration of Human Rights,

"Recalling its resolution 843(IX) of 17 December 1954,

"Recalling further article 2 of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956, which makes certain provisions concerning the age of marriage, consent to marriage and registration of marriages,

"Recalling also that Article 13, paragraph 1 b, of the Charter of the United Nations provides that the General Assembly shall make recommendations for the purpose of assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"Recalling likewise that, under Article 64 of the Charter, the Economic and Social Council may make arrangements with the Members of the United Nations to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly,

"1. Recommends that, where not already provided by existing legislative or other measures, each Member State should take the necessary steps, in accordance with its constitutional processes and its traditional and religious practices, to adopt such legislative or other measures as may be appropriate to give effect to the following principles:

Principle I

"(a) No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person, after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law.

"(b) Marriage by proxy shall be permitted only when the competent authorities are satisfied that each party has, before a competent authority and in such manner as may be prescribed by law, fully and freely expressed consent before witnesses and not withdrawn such consent.

Principle II

"Member States shall take legislative action to specify a minimum age for marriage, which in any case shall not be less than fifteen years of age; no marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses.

Principle III

"All marriages shall be registered in an appropriate official register by the competent authority.

"2. Recommends that each Member State should bring the Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages contained in the present resolution before the authorities competent to enact legislation or to take other action at the earliest practicable moment and, if possible, no later than eighteen months after the adoption of the Recommendation;

"3. Recommends that Member States should inform the Secretary-General, as soon as possible after the action referred to in paragraph 2 above, of the measures taken under the present Recommendation to bring it before the competent authority or authorities, with particulars regarding the authority or authorities considered as competent;

"4. Recommends further that Member States should report to the Secretary-General at the end of three years, and thereafter at intervals of five years, on their law and practice with regard to the matters dealt with in the present Recommendation, showing the extent to which effect has been given or is proposed to be given to the provisions of the Recommendation and such modifications as have been found or may be found necessary in adapting or applying it;

"5. Requests the Secretary-General to prepare for the Commission on the Status of Women a document containing the reports received from Governments concerning methods of implementing the three basic principles of the present Recommendation;

"6. Invites the Commission on the Status of Women to examine the reports received from Member States pursuant to the present Recommendation and to report thereon to the Economic and Social Council with such recommendations as it may deem fitting."

DISSOLUTION OF MARRIAGE, ANNULMENT OF MARRIAGE AND JUDICIAL SEPARATION

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 508-513.
Plenary Meeting 1385.

E/4025. Report of 18th session of Commission on Status of Women, Chapter VI.

E/4025, Chapter XVIII. Draft resolution VI, as recommended by Commission and as amended by Algeria and United Kingdom, adopted by Social Committee on 5 July 1965, meeting 513, by 20 votes to 0, with 1 abstention.

E/AC.7/L.455. Algeria: amendment to Commission's draft resolution VI.

E/AC.7/L.458. United Kingdom: amendment to Commission's draft resolution VI.

E/4088. Report of Social Committee, draft resolution F.

RESOLUTION 1068 F (xxxix), as recommended by Social Committee, E/4088, adopted unanimously by Council on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Considering that the principle of equality of rights for men and women is solemnly proclaimed in the Charter of the United Nations,

"Considering that article 16 of the Universal Declaration of Human Rights provides that men and women are entitled to equal rights as to marriage, during marriage and at its dissolution,

"Having considered with appreciation the report of the Secretary-General on the dissolution of marriage, annulment of marriage and judicial separation as well as the reports of the regional United Nations seminars on the status of women in family law,

"Noting that, in some countries, the same legal grounds and legal defences in proceedings for divorce, annulment of marriage and judicial separation are not available to men and women on an equal basis,

"Noting also that the principle of equality of rights for men and women with regard to legal status and capacity in the event of divorce, annulment of marriage and judicial separation is not ensured by law in some countries,

"Noting further that there is no equality in the rights of men and women in the event of dissolution of marriage by death in some countries,

"1. Recommends that Governments of Member States take all possible measures to ensure equality of rights between men and women in the event of dissolution of marriage, annulment of marriage and judicial separation;

"2. Recommends the following principles for ensuring such equality, taking account of the special characteristics of legislation in different countries:

"(a) Facilities for reconciliation should be made available;

"(b) A divorce or judicial separation shall be granted only by a competent judicial authority and shall be legally recorded;

"(c) Both spouses shall have the same rights and shall have available the same legal grounds and legal defences in proceedings for divorce, annulment of marriage and judicial separation;

"(d) The right of either spouse to give or withhold full and free consent should be ensured by law in the event of divorce on the ground of mutual consent, in countries where mutual consent is a ground for divorce;

"(e) In proceedings regarding custody of children, the interest of the children shall be the paramount consideration;

"(f) Divorce, annulment of marriage, judicial separation or dissolution of marriage by death shall not have as a consequence an inequality in legal status and capacity of men and women."

EDUCATION AND TRAINING OF WOMEN TECHNICAL AND VOCATIONAL TRAINING

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 508-513.
Plenary Meeting 1385.

E/4025. Report of 18th session of Commission on Status of Women, Chapters VII and VIII.

E/4025, Chapter XVIII. Draft resolution VII, as recommended by Commission and as amended by Ecuador, Iraq and United Kingdom, adopted by Social Committee on 2 July 1965, meeting 511, by 22 votes to 0, with 1 abstention.

E/AC.7/L.452. United Kingdom: amendments to Commission's draft resolution VII.

E/4088. Report of Social Committee, draft resolution G.

RESOLUTION 1068 G (xxxix), as recommended by Social Committee, E/4088, adopted unanimously by Council on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Noting with appreciation the work of the International Labour Organisation on the employment of women and on vocational guidance and training of women,

"Convinced that, to attain complete equality in all fields, women must have the right to work,

"Noting that it is a prior condition of women's ability to exercise this right that they should have the opportunity of access to education at all levels and to vocational and technical training,

"1. Recommends Member States to take all possible steps to promote the access of women to education at all levels and to vocational and technical training;

"2. Urges Member States to promote by all possible means a full and active role for women in economic and social fields;

"3. Invites Member States which have not already done so to ratify as soon as possible the International Labour Organisation Convention concerning Discrimination in Respect of Employment and Occupation (No. 111 of 1958) and the United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education (1960), and to accept the principles laid down in the International Labour Organisation Recommendation concerning Vocational Training (No. 117 of 1962) and the United Nations Educational, Scientific and Cultural Organization International Recommendation on Technical and Vocational Education (1962)."

LITERACY AND CONTINUING
EDUCATION OF WOMEN

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 508-513.
Plenary Meeting 1385.

E/4025. Report of 18th session of Commission on Status of Women, Chapter X.

E/4025, Chapter XVIII. Draft resolution VIII, as recommended by Commission and as amended by United Kingdom, adopted unanimously by Social Committee on 5 July 1965, meeting 512.

E/AC.7/L.453. United Kingdom: amendment to Commission's draft resolution VIII.

E/4088. Report of Social Committee, draft resolution H.

RESOLUTION 1068 H (xxxix), as recommended by Social Committee, E/4088, adopted unanimously by Council on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Recalling the various resolutions concerning the world campaign for universal literacy adopted by the General Assembly (resolution 1937(XVIII) of 11 December 1963), the Economic Commission for Africa (resolution 115(VI)), the Economic Commission for Asia and the Far East (resolution 55(XX)) and its own resolution 1032(XXXVII) of 14 August 1964,

"Referring more particularly to resolution 1.271 concerning the experimental literacy programme adopted unanimously and by acclamation by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its thirteenth session,

"Considering the importance of the World Congress of Education Ministers which is to be held at Teheran in September 1965 at the generous invitation of His Imperial Majesty the Shahinshah of Iran,

"Welcoming the appeal launched by His Imperial Majesty the Shahinshah of Iran to Heads of State with a view to promoting wide international co-operation for the eradication of illiteracy,

"Recognizing that on a world basis illiteracy is more extensive among women than among men,

"Convinced that literacy is a prerequisite to the effective and continuous advancement of women in all fields and of women's participation in the life of the community,

"1. Recommends Member States to give a prominent place to programmes for women in planning their national literacy programmes and to take account of the special problems affecting women in rural areas,

"2. Invites the United Nations Educational, Scientific and Cultural Organization:

"(a) To devote particular attention at the World Congress of Education Ministers at Teheran to problems relating to the literacy education and continuing education of women;

"(b) To encourage the inclusion, in the experimental programme to be launched in various countries during 1966, of projects relating particularly to the literacy education of women and directed towards the civic, social and economic education of women."

ACCESS OF GIRLS AND WOMEN TO
SECONDARY AND HIGHER EDUCATION

E/4025, Chapter XVIII. Draft resolution IX, as recommended by Commission and as amended by United Kingdom, adopted unanimously by Social Committee on 5 July 1965, meeting 512.

E/AC.7/L.454. United Kingdom: amendments to Commission's draft resolution IX.

E/4088. Report of Social Committee, draft resolution I.

RESOLUTION 1068 I (xxxix), as recommended by Social Committee, E/4088, adopted unanimously by Council on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Considering the importance of the role of ordinary, teacher-training, vocational and technical secondary education in preparing girls for the responsibilities which they will have to assume in the civil, political, economic and social fields,

"Considering that women who have had secondary and higher levels of education in any of its forms have a role of special importance in raising the educational standard and thereby developing the social maturity of the population,

"Considering the importance of the role of educational and vocational guidance at the secondary education level,

"Considering the need for utilizing fully the intellectual capacities of women both in the industrialized and in the developing countries,

"1. Recommends that Member States:

"(a) Make provision, in planning their education systems, for all such measures—including schools, boarding schools and scholarships—as will assure girls, on a footing of complete equality with boys, access to secondary education, whether ordinary, teacher-training, vocational or technical;

"(b) Adopt the necessary measures to ensure that pupils of all secondary establishment, boys and girls, can obtain guidance to enable them to proceed to the type of secondary education, whether ordinary, teacher-training, vocational or technical, best suited to their aptitudes;

"(c) Ensure that girls who have completed their secondary studies have equal opportunities with boys of access to jobs and occupations for which these studies fit them, and that those qualified for higher education have equal opportunities with boys of access to it;

"(d) Take advantage, in developing the educational institutions required for increasing the number of women teachers in secondary education, of all the possibilities offered by technical assistance;

"2. Invites the United Nations Educational, Scientific and Cultural Organization to devote particular attention, in all its activities concerning secondary education and the planning of education, to the opportunities offered to girls in secondary education."

REGIONAL CO-OPERATION

E/4025. Report of 18th session of Commission on Status of Women, Chapter IV.

E/4025, Chapter XVIII. Draft resolution IV, as recommended by Commission, adopted by Social Committee on 2 July 1965, meeting 510, by 23 votes to 0, with 1 abstention.

E/4088. Report of Social Committee, draft resolution D.

RESOLUTION 1068 D (xxxxr), as recommended by Social Committee, adopted unanimously by Council

on 16 July 1965, meeting 1385.

"The Economic and Social Council,

"Considering its resolution 961 F (XXXVI) of 12 July 1963 on United Nations assistance for the advancement of women in developing countries,

"Considering the recommendation contained in the operative paragraph of that resolution, which calls the attention of States Members of the United Nations to the value of appointing national commissions on the status of women,

"Recommends that such national commissions on the status of women co-operate with each other, or with the already existing national bodies with similar interests, at the regional level and organize regional meetings and seminars the reports of which would be sent for information to the Commission on the Status of Women."

OTHER MATTERS

DRAFT DECLARATION ON ELIMINATION OF DISCRIMINATION AGAINST WOMEN

E/4025. Report of 18th session of Commission on Status of Women, Chapter III (containing text of 13-article draft Declaration prepared by drafting committee).

FAMILY PLANNING

E/4025. Report of 18th session of Commission on Status of Women, Chapter IV, paras. 150-157.

EFFECT OF RESOLUTIONS AND RECOMMENDATIONS OF THE COMMISSION ON NATIONAL LEGISLATION

E/4025. Report of 18th session of Commission on Status of Women, Chapter IX.

REPORT OF COMMISSION

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION

Social Committee, meetings 508-513.

Plenary Meeting 1385.

E/4025. Report of 18th session of Commission on Status of Women, 1-20 March 1965 (for list of documents before Commission, see Annex III).

E/4025, Chapter XVIII. Draft resolution X, as proposed by Commission, adopted unanimously by Social Committee on 5 July 1965, meeting 513.

E/4088. Report of Social Committee, draft resolution A.

RESOLUTION 1068 A (xxxxr), as proposed by Social Committee, E/4088, taking note of report of Commission on Status of Women on its 18th session, adopted unanimously by Council on 16 July 1965, meeting 1385.

A/6003. Report of Economic and Social Council to General Assembly, Chapter XIII, Section X.

THE PROMOTION AMONG YOUTH OF THE IDEALS OF PEACE, MUTUAL RESPECT AND UNDERSTANDING BETWEEN PEOPLES

ADOPTION OF DECLARATION

In 1963, it will be recalled, the General Assembly discussed a draft declaration on the promotion among youth of the ideals of peace, mutual respect and understanding between peoples.¹⁴ This draft declaration was proposed by the following 26 Members: Afghanistan, Algeria, Cambodia, Cameroon, the Central African Republic, Ceylon, Cuba, Ghana, Guinea, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Tanganyika, Togo, Uganda, the Ukrainian SSR, the United Arab Republic, Upper Volta and Yugoslavia. The question had been before the Assembly since 1960,¹⁵ and a first version of the draft declaration had been introduced by Romania in 1962.¹⁶

Owing to lack of time, the Assembly's Third (Social, Humanitarian and Cultural) Committee did not complete the drafting of the declaration at the eighteenth Assembly session in 1963. Because of the special circumstances prevailing at the Assembly's nineteenth session in 1964, the question was not considered.

At the twentieth session of the Assembly in 1965, the Third Committee decided not to hold a general discussion on the matter but to examine the preamble and each of the principles of the proposed Declaration, taking as a basic text the draft now sponsored by Afghanistan, Algeria, Cameroon, the Central African Republic, Ceylon, Cuba, Ghana, Guinea, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Sierra Leone, Togo, Uganda, the Ukrainian SSR, the United Arab Republic, the United Republic of Tanzania, Upper Volta and Yugoslavia. The Committee also had before it a report summarizing the views of 19 Member States on the proposed Declaration which had been submitted by the national commissions of the United Nations Educational, Scientific and Cultural Organization (UNESCO), youth organizations and the International Conference on Youth held in Grenoble, France, in August 1964.

The Third Committee discussed the question at nine meetings and approved the draft De-

claration, as amended during debate, on 29 October by 88 votes to 0, with 4 abstentions. On 7 December, the General Assembly adopted the Declaration by acclamation, in approving the text of resolution 2037 (XX).

In proclaiming the Declaration, the General Assembly reaffirmed, among other things, the principles embodied in the Universal Declaration of Human Rights,¹⁷ the Declaration on the Granting of Independence to Colonial Countries and Peoples,¹⁸ the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,¹⁹ a General Assembly resolution of 3 November 1947 condemning all forms of propaganda designed or likely to provoke or encourage any threat to the peace,²⁰ the Declaration of the Rights of the Child,²¹ and a General Assembly resolution of 18 December 1960,²² which, it declared, have a particular bearing upon the upbringing of young people in a spirit of peace, mutual respect and understanding among peoples.

By the preamble, the General Assembly also took into consideration the fact that in the "conflagrations which have afflicted mankind it has been the young people who have had to suffer most and who have had the greatest number of victims."

It expressed conviction that young people wished to have an assured future and that peace, freedom and justice were among the chief guarantees that their desire for happiness would be fulfilled.

The General Assembly called upon Governments, non-governmental organizations and youth movements to recognize the principles

¹⁴ See Y.U.N., 1963, pp. 414-15.

¹⁵ See Y.U.N., 1960, p. 424.

¹⁶ See Y.U.N., 1962, p. 399.

¹⁷ See Y.U.N., 1948-49, pp. 535-37, text of resolution 217 (III) A.

¹⁸ See Y.U.N., 1960, pp. 49-50, text of resolution 1514 (XV).

¹⁹ See Y.U.N., 1963, pp. 344-46, text of resolution 1904 (XVIII).

²⁰ See Y.U.N., 1947-48, p. 93.

²¹ See Y.U.N., 1959, pp. 198-99, text of resolution 1386 (XIV).

²² See Y.U.N., 1960, p. 424.

of the Declaration and to ensure their observance by means of appropriate measures.

Principle I of the Declaration stated that young people should be brought up in the spirit of peace, justice, freedom, mutual respect and understanding in order to promote equal rights for all human beings and all nations, economic and social progress, disarmament and the maintenance of international peace and security.

Principle II stated that all means of education—including as of major importance the guidance given by parents or family—instruction and information intended for the young should foster among them the ideals of peace, humanity, liberty and international solidarity and all other ideals which helped to bring people closer together and acquainted them with the role entrusted to the United Nations as a means of preserving and maintaining peace and promoting international understanding and co-operation.

Principle III stated that young people should be brought up free from prejudices and with respect for fundamental human rights and the rights of peoples to self-determination.

Principle IV dealt with encouraging various types of activity to bring young peoples of all countries together in the spirit of the Declaration.

Principle V stated, among other things, that youth organizations should be encouraged to conform to the principles set forth in the Declaration.

Principle VI stressed the need for young people to become conscious of their responsibilities in the world they would be called upon to manage and the need for them to be inspired with confidence in a future of happiness for mankind.

(For full text of Declaration, see DOCUMENTARY REFERENCES below, under resolution 2037 (XX).)

ESTABLISHMENT OF REGIONAL DOCUMENTATION AND STUDY INSTITUTIONS

In accordance with a General Assembly resolution of 13 December 1963,²³ the Secretary-General reported to the Assembly in 1965 on the desirability of establishing regional documentation and study institutions to train young people in a greater understanding of their common ideals. The Secretary-General stated his conviction that the promotion among youth of the ideals of peace, mutual respect and understanding between peoples should be carried out continuously by all elements of the United Nations system, by competent non-governmental organizations and by international, national and local youth organizations, and that it should in fact permeate all their activities. In his view, new documentation and study institutions would need to be created only in regions not adequately served by existing agencies and organizations.

²³ See Y.U.N., 1963, pp. 415-16, for text of resolution 1965 II (XVIII).

DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—20TH SESSION

Third Committee, meetings 1290, 1317-1325.
Plenary Meeting 1390.

ADOPTION OF DECLARATION

A/5738 and Add.I, 2. Report of Secretary-General to 19th Assembly session (containing text of draft declaration, amendments thereto, views of Member States and comments submitted by Director-General of UNESCO).

A/5738, Part I A. Text of draft declaration, as proposed at 18th Assembly session in 1963 by Afghanistan, Algeria, Cambodia, Cameroon, Central African Republic, Ceylon, Cuba, Ghana, Guinea, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Tanganyika, Togo, Uganda, Ukrainian SSR, United Arab Republic, Upper Volta and Yugo-

slavia (Sierra Leone joined as co-sponsor, meeting 1323).

A/5930 and Add.I. Note by Secretary-General and views submitted by Member States on proposed declaration.

PREAMBLE

A/C.3/L.1233. United States: amendment.

A/C.3/L.1234. United Kingdom: amendment.

Preamble, as originally drafted (A/5738, Part I A), and as amended by sponsors, United States and UNESCO, adopted unanimously by Third Committee on 25 October 1965, meeting 1318.

PRINCIPLES I-VI

Amendments

A/C.3/L.1232. Greece: amendment to Principle II.

A/C.3/L.1233. United States: amendments to Prin-

- ciples I, II, IV and V.
 A/C.3/L.1234. United Kingdom: amendments to Principles I-VI.
 A/C.3/L.1235. Brazil: amendments to Principle V.
 A/C.3/L.1252. India: sub-amendment to amendment by Greece, A/C.3/L.1232.
 A/C.3/L.1254. India: sub-amendments to United States amendments, A/C.3/L.1233.
 A/C.3/L.1258 and Corr.1. Afghanistan, Algeria, Cameroon, Central African Republic, Ceylon, Cuba, Ghana, Guinea, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Togo, Uganda, Ukrainian SSR, United Arab Republic, United Kingdom, United Republic of Tanzania, United States, Upper Volta, Yugoslavia: amendment (replacing text of Principle I).
 A/C.3/L.1263 and Corr.1. Afghanistan, Algeria, Cameroon, Central African Republic, Ceylon, Cuba, Ghana, Guinea, India, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Togo, Uganda, Ukrainian SSR, United Arab Republic, United Republic of Tanzania, Upper Volta, Yugoslavia: amendment, replacing text of Principle II.
 A/C.3/L.1264. Afghanistan, Algeria, Cameroon, Central African Republic, Ceylon, Cuba, Ghana, Guinea, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Togo, Uganda, Ukrainian SSR, United Arab Republic, United Republic of Tanzania, Upper Volta, Yugoslavia: amendment, replacing text of Principle V.
 A/C.3/L.1265. Afghanistan, Algeria, Cameroon, Central African Republic, Ceylon, Cuba, Ghana, Guinea, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Togo, Uganda, Ukrainian SSR, United Arab Republic, United Republic of Tanzania, Upper Volta, Yugoslavia: amendment, replacing text of Principle IV.
 A/C.3/L.1269. Saudi Arabia: sub-amendment to United Kingdom amendment, A/C.3/L.1234.

PRINCIPLE I, as proposed by 27 powers, A/C.3/L.1258 and Corr.1, replacing text of original draft (A/5738, Part I A), adopted by Third Committee on 26 October 1965, meeting 1320, by 84 votes to 0, with 1 abstention.

PRINCIPLE II, as proposed by 26 powers, A/C.3/L.1263 and Corr.1, replacing text of original draft (A/5738, Part I A), and as amended by Greece, adopted unanimously by Third Committee on 28 October 1965, meeting 1322.

PRINCIPLE III, as originally drafted (A/5738, Part I A), and as amended by United Kingdom, adopted unanimously by Third Committee on 26 October 1965, meeting 1320.

PRINCIPLE IV, as proposed by 25 powers, A/C.3/L.1265, replacing text of original draft (A/5738, Part I A), and as further amended orally, adopted unanimously by Third Committee on 29 October 1965, meeting 1324.

PRINCIPLE V, as proposed by 25 powers, A/C.3/L.1264, replacing text of original draft (A/5738, Part I A), and as orally amended by Morocco, adopted by Third Committee on 29 October 1965, meeting 1324, by 87 votes to 0, with 7 abstentions.

PRINCIPLE VI, as originally drafted (A/5738, Part I A), and as amended by United Kingdom, A/C.3/L.1234, adopted unanimously by Third Committee on 26 October 1965, meeting 1320.

DECLARATION

Draft Declaration as a whole, as drafted by 26 powers (A/5738, Part I A) and as amended, adopted by Third Committee on 29 October 1965, meeting 1324, by 88 votes to 0, with 4 abstentions.

A/C.3/L.1255 and Add.1-4. Text of preamble and Principles I-VI as adopted by Third Committee on 25, 26, 28 and 29 October 1965, meetings 1318, 1320, 1322 and 1324.

A/6120. Report of Third Committee.

A/L.472. Argentina, France, Greece, Italy: amendment to Principle V of draft Declaration as proposed by Third Committee, A/6120.

RESOLUTION 2037 (xx), as recommended by Third Committee, A/6120 and as amended by 4 powers (A/L.472), adopted by acclamation by Assembly on 7 December 1965, meeting 1390.

"The General Assembly,

"Recalling that under the terms of the Charter of the United Nations the peoples have declared themselves determined to save succeeding generations from the scourge of war,

"Recalling further that in the Charter the United Nations has affirmed its faith in fundamental human rights, in the dignity of the human person and in the equal rights of men and nations,

"Reaffirming the principles embodied in the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, General Assembly resolution 110(11) of 3 November 1947 condemning all forms of propaganda designed or likely to provoke or encourage any threat to the peace, the Declaration of the Rights of the Child, and General Assembly resolution 1572 (XV) of 18 December 1960, which have a particular bearing upon the upbringing of young people in a spirit of peace, mutual respect and understanding among peoples,

"Recalling that the purpose of the United Nations Educational, Scientific and Cultural Organization is to contribute to peace and security by promoting collaboration among nations through education, science and culture, and recognizing the role and contributions of that organization towards the education of young people in the spirit of international understanding, co-operation and peace,

"Taking into consideration the fact that in the conflagrations which have afflicted mankind it is the young people who have had to suffer most and who have had the greatest number of victims,

"Convinced that young people wish to have an assured future and that peace, freedom and justice are among the chief guarantees that their desire for happiness will be fulfilled,

"Bearing in mind the important part being played by young people in every field of human endeavour and the fact that they are destined to guide the fortunes of mankind,

"Bearing in mind furthermore that, in this age of great scientific, technological and cultural achievements, the energies, enthusiasm and creative abilities of the young should be devoted to the material and spiritual advancement of all peoples,

"Convinced that the young should know, respect and develop the cultural heritage of their own country and that of all mankind,

"Convinced furthermore that the education of the young and exchanges of young people and of ideas in a spirit of peace, mutual respect and understanding between peoples can help to improve international relations and to strengthen peace and security,

"Proclaims this Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples and calls upon Governments, non-governmental organizations and youth movements to recognize the principles set forth therein and to ensure their observance by means of appropriate measures:

Principle 1

"Young people shall be brought up in the spirit of peace, justice, freedom, mutual respect and understanding in order to promote equal rights for all human beings and all nations, economic and social progress, disarmament and the maintenance of international peace and security.

Principle II

"All means of education, including as of major importance the guidance given by parents or family, instruction and information intended for the young should foster among them the ideals of peace, humanity, liberty and international solidarity and all other ideals which help to bring peoples closer together, and acquaint them with the role entrusted to the United Nations as a means of preserving and maintaining peace and promoting international understanding and co-operation.

Principle III

"Young people shall be brought up in the knowledge of the dignity and equality of all men, without distinction as to race, colour, ethnic origins or beliefs, and in respect for fundamental human rights and for the right of peoples to self-determination.

Principle IV

"Exchanges, travel, tourism, meetings, the study of foreign languages, the twinning of towns and universities without discrimination and similar activities should be encouraged and facilitated among young people of all countries in order to bring them together in educational, cultural and sporting activities in the spirit of this Declaration.

Principle V

"National and international associations of young people should be encouraged to promote the purposes of the United Nations, particularly international peace and security, friendly relations among nations based on respect for the equal sovereignty of States, the final abolition of colonialism and of racial discrimination and other violations of human rights.

"Youth organizations in accordance with this Declaration should take all appropriate measures within their respective fields of activity in order to make their contribution without any discrimination to the work of educating the young generation in accordance with these ideals.

"Such organizations, in conformity with the principle of freedom of association, should promote the free exchange of ideas in the spirit of the principles of this Declaration and of the purposes of the United Nations set forth in the Charter.

"All youth organizations should conform to the principles set forth in this Declaration.

Principle VI

"A major aim in educating the young shall be to develop all their faculties and to train them to acquire higher moral qualities, to be deeply attached to the noble ideals of peace, liberty, the dignity and equality of all men, and imbued with respect and love for humanity and its creative achievements. To this end the family has an important role to play.

"Young people must become conscious of their responsibilities in the world they will be called upon to manage and should be inspired with confidence in a future of happiness for mankind."

A/6151. Letter of 8 December 1965 from Director-General of UNESCO.

ESTABLISHMENT OF REGIONAL DOCUMENTATION AND STUDY INSTITUTIONS

A/5789 and Add.1. Report of Secretary-General on his study of desirability of establishing regional documentation and study institutions.

PROMOTION OF RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

On 18 November 1965, the General Assembly unanimously adopted a resolution urging all Governments to make a special effort during the United Nations Development Decade to promote respect for and observance of human rights and fundamental freedoms. They were invited to include, in their plans for economic and social development, measures directed towards the achievement of further progress in the implementation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and in subsequent declarations and instruments in the field of human rights. The technical assistance authorities of the United Nations and of the specialized agencies were called upon to give all possible assistance within the framework of their programmes during the Development Decade, with a view to achieving progress in the field of human rights. The Economic and Social Council was invited to request the Commission on Human Rights to continue its consideration of the question of the further promotion and encouragement of respect for human rights and fundamental freedoms.

The Assembly's resolution also recommended that the Economic and Social Council should, in studying the question of transferring the resources released as a result of disarmament, bear in mind the economic needs of all countries, particularly of the less developed countries, in order to help them to achieve the safeguarding of human rights and fundamental freedoms. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

The resolution to this effect (2077 (XX)) was adopted on the recommendation of the Assembly's Third (Social, Humanitarian and Cultural) Committee where it was approved on 8 October 1965 following consideration of a draft resolution recommended by the Economic and Social Council on 12 July 1963²⁴ for adoption by the Assembly, and a number of amendments to the Council's text which were put forward during the course of the discussions in the Third Committee.

The General Assembly was not able at its eighteenth (1963) session to consider the draft resolution submitted by the Economic and So-

cial Council. Action on this was deferred to the Assembly's nineteenth session. However, the Assembly was unable to act on this at its nineteenth session owing to the special circumstances then prevailing and the question was deferred to the Assembly's twentieth (1965) session.

The operative paragraph in the Assembly's resolution of 18 November 1965 to request the Commission on Human Rights to continue consideration of the further promotion of respect for human rights and fundamental freedoms was added to the Economic and Social Council's text on the basis of a proposal submitted in the Third Committee by the Ukrainian SSR and sub-amended by the Netherlands. The purpose of the sub-amendment by the Netherlands was to delete wording in the text by the Ukrainian SSR envisaging special attention to studies of social and economic rights.

Also added to the Council's draft text was the operative paragraph containing the reference to the Council's studies of the question of transferring resources released by disarmament. This paragraph was added to the Council's text on a proposal submitted in the Third Committee by Brazil, Morocco, Sudan and Togo.

Several preambular paragraphs were also added to the Council's text. By one of these paragraphs—based on a proposal submitted in the Third Committee by the Ukrainian SSR—the Assembly reaffirmed its desire to contribute to respect for and observance of human rights and fundamental freedoms in accordance with the Charter, the Universal Declaration of Human Rights, the Declaration on the Elimination of All Forms of Racial Discrimination and the Declaration on the Granting of Independence to Colonial Countries and Peoples, which, it was stated, were directed at heightening the effectiveness of United Nations action in this sphere.

Jamaica proposed that this amendment be changed so as to omit the references to the Declaration on the Elimination of All Forms of Racial Discrimination and the Declaration on the Granting of Independence so that the As-

²⁴ See Y.U.N., 1963, pp. 363-64, text of resolution 958 D I (XXXVI).

sembly would reaffirm its desire to contribute to the respect for the observance of human rights and fundamental freedoms in accordance with the Charter, the Universal Declaration of Human Rights and all other United Nations declarations. Jamaica considered it unnecessary to refer to specific declarations. The Jamaican proposal, however, was defeated in the Third Committee by a roll-call vote of 62 against to 18 in favour, with 10 abstentions.

By another preambular paragraph which was added to the Council's text, the Assembly noted that, despite repeated recommendations, certain countries persisted in practising segregation in violation of the fundamental laws of justice, freedom and respect for human rights. The paragraph to this effect was added to the Council's text on the basis of a proposal submitted in the Third Committee by the Ivory Coast.

DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meetings 1296-1298.
Plenary Meeting 1381.

A/5923. Note by Secretary-General.

A/5923, para.4. Draft resolution forwarded by Economic and Social Council and recommended for adoption by Assembly (Council resolution 958 D I (XXXVI) of 12 July 1963), unanimously adopted, as amended, by Third Committee on 8 October 1965, meeting 1298.

A/C.3/L.1201 and Rev.1. Ukrainian SSR: amendments to Council's draft resolution.

A/C.3/L.1204. Brazil: amendment to Council's draft resolution.

A/C.3/L.1205. Ivory Coast: amendment to Council's draft resolution.

A/C.3/L.1206. Ivory Coast and Nigeria: amendments to Council's draft resolution.

A/C.3/L.1207. Jamaica: sub-amendment to Ukrainian SSR amendment, A/C.3/L.1201.

A/C.3/L.1213. Brazil, Morocco, Sudan, Togo: amendment to Council's draft resolution.

A/6096. Report of Third Committee.

RESOLUTION 2027(xx), as proposed by Third Committee, A/6096, adopted unanimously by Assembly on 18 November 1965, meeting 1381.

"The General Assembly,

"Recalling its resolution 1776(XVII) of 7 December 1962 on the need for the further promotion and encouragement of respect for human rights and fundamental freedoms,

"Reaffirming its desire to contribute to respect for and observance of human rights and fundamental freedoms in accordance with the Charter of the United Nations and the provisions of the Universal Declaration of Human Rights, the Declaration on the Elimination of All Forms of Racial Discrimination and the Declaration on the Granting of Independence to Colonial Countries and Peoples, which are directed at heightening the effectiveness of United Na-

tions action in this sphere,

"Recognizing the need, during the United Nations Development Decade, to devote special attention on both the national and the international level to progress in the field of human rights, and to encourage the adoption of measures designed to accelerate the promotion of respect for and observance of human rights and fundamental freedoms,

"Noting that, despite repeated recommendations, certain countries persist in practising segregation, in violation of the fundamental laws of justice, freedom and respect for human rights,

"1. Urges all Governments to make special efforts during the United Nations Development Decade to promote respect for and observance of human rights and fundamental freedoms, and invites them to include in their plans for economic and social development measures directed towards the achievement of further progress in the implementation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and in subsequent declarations and instruments in the field of human rights;

"2. Calls upon the technical assistance authorities of the United Nations and the specialized agencies to give all possible assistance, within the framework of their programmes during the United Nations Development Decade, with a view to achieving progress in the field of human rights;

"3. Invites the Economic and Social Council to request the Commission on Human Rights to continue its consideration of the question of the further promotion and encouragement of respect for human rights and fundamental freedoms;

"4. Recommends that the Economic and Social Council should, in studying the question of transferring the resources released as a result of disarmament, bear in mind the economic needs of all countries, particularly of the less developed countries, in order to help them to achieve the safeguarding of human rights and fundamental freedoms."

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS

DECISIONS BY ECONOMIC AND SOCIAL COUNCIL

On 28 July 1965, the Economic and Social

Council adopted a resolution (1075 (XXXIX)), expressing its desire to review the experience with existing arrangements and procedures in

the United Nations family of organizations in the implementation of human rights conventions and recommendations and asking the Secretary-General of the United Nations and the Directors-General of the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) to prepare separate reports for the Council's fortieth session (scheduled to open in February 1966) on their respective organizational and procedural arrangements for the implementation of conventions and recommendations in the field of human rights, including information on past experience as appropriate.

The Council adopted this resolution, by 14 votes to 0, with 3 abstentions, on a proposal submitted by Algeria, Ecuador, Gabon, Iraq, Peru, the United Kingdom and the United States.

(For full text of resolution, see DOCUMENTARY REFERENCES **below**.)

DECISION BY GENERAL ASSEMBLY

The two draft International Covenants on Human Rights—one on Civil and Political Rights and one on Economic, Social and Cultural Rights—prepared by the Commission on Human Rights, have been under consideration by the General Assembly since 1954.

By the end of 1963, the Assembly's Third (Social, Humanitarian and Cultural) Committee had adopted the preamble and all of the general and substantive articles of both covenants. It had also adopted additional provisions on the rights of the child, to be included in the draft Covenant on Civil and Political

Rights, and on the right to freedom from hunger, to be included in the draft Covenant on Economic, Social and Cultural Rights. Provisions relating to measures of implementation and final clauses were still to be adopted.

Work on the draft covenants could not be continued in 1964 at the Assembly's nineteenth session, owing to the special circumstances then prevailing.

Owing to its heavy agenda, the Third Committee was unable to consider the draft Covenants at the Assembly's twentieth session in 1965. On 20 December 1965, the Assembly decided unanimously to defer further consideration of the draft Covenants to its 1966 session. The Assembly invited Governments of Member States to consider the measures of implementation and the final clauses of the draft International Covenants prepared by the Commission on Human Rights, the explanatory paper prepared by the Secretary-General and the observations received from Governments in accordance with an Assembly resolution of 12 December 1963,²⁵ so that at the Assembly's 1966 session, Member States would be in a position to complete work on the draft Covenants.

The decision to this effect was embodied in resolution 2080(XX). (For full text, see DOCUMENTARY REFERENCES **below**.)

The Assembly adopted this resolution on the recommendation of its Third Committee, which approved it unanimously on 15 December 1965 on the basis of a proposal by Greece and Japan.

²⁵ See Y.U.N., 1963, p. 323, for text of resolution 1960 (XVIII).

DOCUMENTARY REFERENCES

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Plenary Meetings 1391, 1392.

E/L.1088. Algeria, Ecuador, Gabon, Iraq, Peru, United Kingdom, United States: draft resolution.
RESOLUTION 1075(xxxix), as proposed by 7 powers,
E/L.1088, adopted by Council on 28 July 1965,
meeting 1392, by 14 votes to 0, with 3 abstentions.

"The Economic and Social Council,

"Recognizing the importance of an effective international programme in the field of human rights.

"Desiring to review the experience with existing

arrangements and procedures in the United Nations family of organizations in the implementation of human rights conventions and recommendations,

"1. Requests the Secretary-General of the United Nations and the Directors-General of the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization to prepare for the Council separate reports on their respective existing organizational and procedural arrangements for the implementation of conventions and recommendations in the field of human rights, including information on past experience as appropriate;

"2. Requests further that those reports be submitted to the Council at its fortieth session."

A/6003. Report of Economic and Social Council to General Assembly, Chapter XIII, Section VIII.

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meetings 1370, 1374.
Plenary Meeting 1404.

A/5411 and Add.1, 2. Explanatory paper on measures of implementation prepared by Secretary-General and observations from Member Governments.

A/5702 and Add.1. Observations from Governments of Member States. Note by Secretary-General.

A/5929. Note by Secretary-General, containing text of articles of draft International Covenants on Human Rights adopted by Third Committee at 10th to 18th sessions of General Assembly.

A/C.3/L.1246. Brazil: amendment to articles 17, 20, 21, 23 and 24 of draft Covenant on Economic, Social and Cultural Rights and proposal for new article between articles 18 and 19.

A/C.3/L.1247. United Kingdom: amendment to article 21 of draft Covenant on Economic, Social and Cultural Rights.

A/C.3/L.1248. Brazil: amendments to article 27 of draft Covenant on Economic, Social and Cultural Rights and to article 52 of draft Covenant on Civil and Political Rights.

A/C.3/L.1256. Brazil: amendment proposing new article after article 44 of draft Covenant on Civil and Political Rights.

A/C.3/L.1257. Brazil: amendments to article 49 of draft Covenant on Civil and Political Rights.

A/C.3/L.1259. Brazil: amendment, proposing new article in part IV of draft Covenant on Civil and Political Rights.

A/C.3/L.1260. United Kingdom: amendments to article 26 of draft Covenant on Economic, Social and Cultural Rights and to article 51 of draft

Covenant on Civil and Political Rights.

A/C.3/L.1261. United Kingdom: amendment proposing new article after article 28 of draft Covenant on Economic, Social and Cultural Rights and after article 51 of draft Covenant on Civil and Political Rights.

A/C.3/L.1267. Saudi Arabia: amendment to article 40 of draft Covenant on Civil and Political Rights.

A/C.3/L.1321 and Rev.1. Greece and Japan: draft resolution and revision, as further orally revised, adopted unanimously by Third Committee on 15 December 1965, meeting 1374.

RESOLUTION 2080(xx), as proposed by Third Committee, A/6173, adopted unanimously by Assembly on 20 December 1965, meeting 1404.

"The General Assembly,

"Considering that the Third Committee, owing to its heavy agenda, has not been able to consider the draft International Covenants on Human Rights at the present session,

"Noting Economic and Social Council resolution 1075(XXXIX) of 28 July 1965 on organizational and procedural arrangements for the implementation of conventions and recommendations in the field of human rights,

"1. Decides to defer to its twenty-first session the further consideration of the draft International Covenants on Human Rights;

"2. Invites Governments of Member States to consider the measures of implementation and the final clauses of the draft International Covenants on Human Rights prepared by the Commission on Human Rights, the explanatory paper prepared by the Secretary-General and the observations received from Governments in accordance with General Assembly resolution 1960(XVIII) of 12 December 1963, so that at the twenty-first session of the Assembly Member States will be in a position to complete the preparation of the draft International Covenants on Human Rights."

PERIODIC REPORTS ON HUMAN RIGHTS

In 1965, at its twenty-first session, the Commission on Human Rights considered the third series of triennial reports on developments in the field of human rights covering the years 1960-62. The Commission had before it the summaries of reports prepared by the Secretary-General on the basis of information received from Governments, the reports of the International Labour Organisation (ILO), the International Telecommunication Union (ITU), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World

Health Organization (WHO), and a note by the Secretary-General on the comments and observations received from non-governmental organizations in consultative status. The Commission had also before it a report of its Committee on Periodic Reports on Human Rights, which had been appointed in 1964.

The Committee's recommendations, embodied in a draft resolution, were in general agreed to by the Commission which submitted it, after amending it in certain particulars, to the Economic and Social Council for final approval.

The Council approved this text on 28 July 1965 by 14 votes to 0, with 4 abstentions, as resolution 1074 C (XXXIX).

By this resolution, the Council, among other things, reiterated its belief that the reporting system was not only a source of information, but also a valuable incentive to Governments' efforts to protect human rights and freedoms and to the implementation of the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Declaration on the Elimination of All Forms of Racial Discrimination. It expressed concern that no information on implementation of the rights to self-determination and to independence had yet been received from States administering dependent territories. The Council invited Members of the United Nations or members of the specialized agencies to supply information regularly on human rights and fundamental freedoms in the territories subject to their jurisdiction within a continuing three-year cycle, scheduled as follows: (a) in the first year, on civil and political rights, the first such reports to cover the period ending 30 June 1965; (b) in the second year, on economic, social and cultural rights, the first such reports to cover the period ending 30 June 1966; and (c) in the third year, on freedom of information, the first such reports to cover the period ending 30 June 1967. In addition, the Council: urged all Member States to submit reports on developments on human rights concerning the rights enumerated in the Universal Declaration of Human Rights and the right to self-determination and the right to independence; requested the Secretary-General to submit a document to the Commission on Human Rights indicating the status of multilateral agreements in the field of human rights concluded under United Nations auspices; and invited the specialized agencies to continue their contributions to pe-

riodic reports on human rights and the non-governmental organizations in consultative status to continue to submit objective information in accordance with a Council resolution of 24 July 1962²⁶ on periodic reports on human rights. The Secretary-General was further requested to forward any material received from non-governmental organizations mentioning any particular Members of the United Nations or members of the specialized agencies to those States for any comments they might wish to make; and to forward the information received from Member States and specialized agencies and the comments received from non-governmental organizations in consultative status, and any comments which might be made on them by the Member States concerned to the Commission on Human Rights, the Commission on the Status of Women and the Sub-Commission on Prevention of Discrimination and Protection of Minorities for further study.

The Commission on Human Rights was asked to establish an ad hoc Committee composed of persons chosen from its members to study and evaluate the periodic reports and other information received under the terms of the resolution, and, in the light of comments and recommendations by the Commission on the Status of Women and of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, to submit conclusions and recommendations "of an objective character" to the Commission on Human Rights. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

At its 1965 session, the Commission on Human Rights agreed on the appointment of the following Commission members to the ad hoc Committee: Costa Rica, Dahomey, France, the Philippines, Poland, the USSR, the United Kingdom and the United States.

²⁶ See Y.U.N., 1962, pp. 321-23.

DOCUMENTARY REFERENCES

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 516-522, 524.
Plenary Meetings 1391, 1392.

E/4024. Report of 21st session of Commission on Human Rights, Chapter III.

E/4024, Chapter XII. Draft resolution II as proposed by Commission on Human Rights, adopted by Social Committee on 14 July 1965, meeting 519, by 20 votes to 1, with 4 abstentions.

E/4100 and Add.1. Report of Social Committee, draft resolution C.

RESOLUTION 1074 c (xxxix), as proposed by Social Committee, E/4100 and Add.1, adopted by Council on 28 July 1965, meeting 1392, by 14 votes to 0, with 4 abstentions.

"The Economic and Social Council,

"Recalling its resolution 888 B (XXXIV) of 24 July 1962 regarding periodic reports on human rights,

"Considering that in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights, the Declaration on the granting of independence to colonial countries and peoples, and the Declaration on the Elimination of All Forms of Racial Discrimination, human rights and fundamental freedoms for all without distinctions as to race, nationality, sex, language or religion should be strictly observed throughout the world,

"Recognizing that a comprehensive system of periodic reporting on human rights is important as a source of information for the General Assembly and other United Nations bodies as well as for the Commission on Human Rights, and that it should accordingly be as inclusive and up-to-date as possible,

"Noting that in addition to the periodic reports now requested from Member States on a triennial basis, annual reports are also requested on freedom of information,

"Noting further the importance for the implementation of human rights of the constitutional provisions and practical procedures which, in certain specialized agencies, govern the consideration by their competent bodies of the reports of Member States on the application of conventions and recommendations adopted by those agencies,

"1. Expresses its appreciation to all States Members of the United Nations or members of the specialized agencies that have submitted reports;

"2. Notes that while the situation throughout the world with regard to human rights and fundamental freedoms continues to be unsatisfactory in the fields of civil and political rights as well as social, economic, and cultural rights, and particularly in connexion with the policy of apartheid and the widespread racial, ethnic and religious discrimination throughout the world which prompted the General Assembly to adopt the Declaration on the Elimination of All Forms of Racial Discrimination, the reports contain useful information indicating that some progress was achieved in the protection of human rights during 1960-1962, including rights enumerated in the Universal Declaration of Human Rights,

"3. Notes further that measures were taken by various countries, including the conclusion of multilateral and regional agreements among Member States: to eliminate or prohibit discrimination, particularly—but not only—discrimination based on race, or sex; to protect the rights of suspects and defendants in criminal procedures, in particular by such steps as restricting detention in custody and strengthening the right to counsel by broadening counsel's rights and by providing free legal aid; to repeal provisions concerning various kinds of compulsory labour; to extend, increasingly, social insurance cover-

age to the agricultural population; to apply social insurance protection to workers and employees who are citizens of a foreign State; to improve the conditions of work by widening the scope of minimum wage laws, shortening working hours and lengthening statutory vacations at full pay; to make education more widely available by the extension of tuition-free instruction or by assistance to cover students' expenses by grants or loans repayable after graduation;

"4. Reiterates its belief that the reporting system is not only a source of information, but also a valuable incentive to Governments' efforts to protect human rights and fundamental freedoms and to the implementation of the Universal Declaration of Human Rights, the Declaration on the granting of independence to colonial countries and peoples and the Declaration on the Elimination of All Forms of Racial Discrimination;

"5. Expresses concern that, despite the terms of Council resolution 881 B (XXXIV), which calls upon Member States to submit reports on developments in the field of human rights relating, *inter alia*, to the right to self-determination and the right to independence, no information regarding implementation of these rights has yet been received from States administering dependent territories;

"6. Invites States Members of the United Nations or members of the specialized agencies to supply information regularly on human rights and fundamental freedoms in the territories subject to their jurisdiction, within a continuing three-year cycle scheduled, without prejudice to the adoption and ratification of the Covenants on Human Rights, including the measures of implementation provided therein, as follows:

"(a) In the first year, on civil and political rights, the first such reports to cover the period ending 30 June 1965;

"(b) In the second year, on economic, social and cultural rights, the first such report to cover the period ending 30 June 1966;

"(c) In the third year, on freedom of information, the first such reports to cover the period ending 30 June 1967;

"Each year Governments may submit an annex to their reports containing information of particular significance which does not pertain to the subject for the year; it is understood that for the rights falling in the field of competence of specialized agencies Governments may, if they so elect, confine themselves to reference to the reports they send to the specialized agencies concerned, which will continue to submit periodic reports on these rights to the United Nations;

"7. Urges all Member States to submit reports on developments in human rights concerning the rights enumerated in the Universal Declaration of Human Rights and the right to self-determination and the right to independence, taking fully into account the suggestions referred to in the Council's resolutions 728 B (XXVIII) of 30 July 1959 and 888 B (XXXIV);

"8. Invites Governments and non-governmental organizations to append to their reports a brief summary thereof;

"9. Suggests that Governments include more information on court and other decisions and administrative practices affecting human rights and on the ratification and accession to international agreements in the field of human rights;

"10. Requests the Secretary-General to submit to the Commission on Human Rights a document indicating the status of multilateral international agreements in the field of human rights, as mentioned in paragraph 7, concluded under the auspices of the United Nations;

"11. Invites the specialized agencies to continue their contributions to the periodic reports on human rights in accordance with this schedule and with the provisions of Council resolution 624 B (XXII) of 1 August 1956 by submitting reports as they deem appropriate and by assisting the bodies examining the reports;

"12. Invites the non-governmental organizations in consultative status to continue to submit objective information in accordance with the provisions of Council resolution 888 B (XXXIV) and in accordance with the subject and time schedule for submission of reports by Governments established by this resolution;

"13. Requests the Secretary-General, in accordance with the usual practice in regard to human rights communications, to forward any material received from non-governmental organizations in accordance with paragraph 12 and mentioning any particular States Members of the United Nations or members of the specialized agencies to those Member States for any comments they may wish to make;

"14. Requests the Secretary-General to forward the information received from Member States and specialized agencies under the terms of this resolution in full, together with a subject and country index, to the Commission on Human Rights, the Commission on the Status of Women and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities; the comments received from non-governmental organizations in consultative status, as well as any comments which might be made on them by the Member State concerned, are also to be made available by the Secretary-General to the Com-

mission on Human Rights, the Commission on the Status of Women and the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities;

"15. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake the initial study of the material received under the terms of this resolution, to report thereon to the Commission on Human Rights, and to submit comments and recommendations for consideration by the Commission;

"16. Invites the Commission on the Status of Women to inform the Commission on Human Rights of its comments on the materials it received under the terms of this resolution, and of any recommendations it may wish to make;

"17. Requests the Commission on Human Rights to plan for prompt and effective consideration of the periodic reports in the light of the comments and recommendations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on the Status of Women;

"18. Requests the Commission on Human Rights to establish an ad hoc committee composed of persons chosen from its members, having as its mandate the study and evaluation of the periodic reports and other information received under the terms of this resolution, and, in the light of the comments, observations and recommendations of the Commission on the Status of Women and of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, to submit to the Commission comments, conclusions and recommendations of an objective character; the ad hoc committee will meet before the session of the Commission and must report its findings to the Commission no later than one week prior to the end of the Commission's session; it shall ensure all necessary co-ordination with any specialized agency in considering any question or matter dealt with in that agency's report."

A/5803. Report of Economic and Social Council to General Assembly (19th session), Chapter IX, Section III.

A/6003. Report of Economic and Social Council to General Assembly (20th session), Chapter XIII, Section II.

FREEDOM OF INFORMATION

DRAFT CONVENTION AND DRAFT DECLARATION ON FREEDOM OF INFORMATION

At the General Assembly's twentieth session in 1965, consideration of the draft Convention on Freedom of Information and the draft Declaration on Freedom of Information was assigned to the Third (Social, Humanitarian and Cultural) Committee. The Committee,

however, was unable to examine these drafts owing to its heavy agenda.

On the Third Committee's recommendation, the General Assembly, on 16 December 1965, restating its view that freedom of information formed an important part of the human rights and freedoms to the promotion of which the United Nations was dedicated, unanimously decided to devote as much time as it deemed

necessary to consideration at its next (1966) session of the item on freedom of information. This decision was embodied in resolution 2061 (XX). The Third Committee had unanimously approved the text to this effect on 13 December 1965, on the basis of a proposal by Saudi Arabia, as amended by Iran and Panama. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

REPORTS ON FREEDOM OF INFORMATION

Various aspects of the question of freedom of information were also considered in 1965 by the Commission on Human Rights and the Economic and Social Council.

Before the Commission were the annual reports on freedom of information for 1960-61, 1961-62, 1962-63 and 1963-64; a consultant's report on developments in the field of freedom of information since 1954, issued in 1961; and a report by the Commission's Committee on Periodic Reports on Human Rights,²⁷ dealing with reports on freedom of information.

The Commission was unable to consider the annual reports or the consultant's report and decided to postpone consideration of them until its 1966 session. On the recommendation of its Committee on Periodic Reports, it adopted, for approval by the Economic and Social Council, a draft resolution on periodic reports on human rights and on freedom of information, whereby the Council, among other things, would: (1) invite United Nations Member States to report on freedom of information every third year within a continuing three-year cycle (in which they would report in the first year of the cycle on civil and political rights and in the second year of the cycle on economic, social and cultural rights). The first of the reports on freedom of information was to cover the period ending 30 June 1967. The Council agreed to this in adopting resolution 1074(XXXIX) on 28 July 1965 by 14 votes to 0, with 4 abstentions. (For text of resolution, see DOCUMENTARY REFERENCES below.)

²⁷ See Y.U.N., 1964, pp. 360-61.

DOCUMENTARY REFERENCES

DRAFT CONVENTION AND DRAFT DECLARATION ON FREEDOM OF INFORMATION

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meeting 1372.
Plenary Meeting 1397.

DRAFT CONVENTION

A/AC.42/7 and Corr.1, Annex. Official Records, General Assembly, 7th session, Annexes, Agenda Item 29. Text of draft Convention on Freedom of Information formulated by ad hoc committee established by Assembly resolution 426 (V) of 14 December 1950.

A/4341, A/4636, A/5041. Reports of Third Committee containing text of preamble and articles 1-4, adopted by Third Committee. Official Records, General Assembly, 14th session, annexes, agenda item 35; 15th session, annexes, agenda item 35; 16th session, annexes, agenda item 36.

A/5927. Note by Secretary-General.

DRAFT DECLARATION

A/5928. Note by Secretary-General containing texts of Economic and Social Council resolution 756 (XXIX) and of draft Declaration annexed thereto as adopted by Council, at its 29th session in 1960.

RESOLUTION

A/C.3/L.1326. Saudi Arabia: draft resolution, as

orally amended by Iran and Panama, adopted unanimously by Third Committee on 13 December 1965, meeting 1372.

A/6164. Report of Third Committee.

RESOLUTION 2061 (XX), as proposed by Third Committee, A/6164, adopted unanimously by Assembly on 16 December 1965, meeting 1397.

"The General Assembly,

"Noting that the heavy agenda of the Third Committee at the twentieth session has not allowed the Committee to consider either the draft Convention on Freedom of Information or the draft Declaration on Freedom of Information which was submitted to it by the Economic and Social Council,

"Reiterating that freedom of information forms an important part of the human rights and fundamental freedoms, to the promotion of which the United Nations is dedicated,

"Decides to devote, at its twenty-first session, as much time as it deems necessary to the consideration of the item on freedom of information."

REPORTS ON FREEDOM OF INFORMATION

E/CN.4/822 and Add.1-3; E/CN.4/838 and Add.1-3; E/CN.4/862 and Add.1-3; E/CN.4/878 and Add.1-2. Annual reports of Secretary-General on freedom of information 1960-61, 1961-62, 1962-63 and 1963-64 respectively.

E/CN.4/876 and Corr.1. Report of Committee on Periodic Reports on Human Rights, para. 257 and Part III.

E/3443. Official Records, Economic and Social Council, 31st session, Annexes, agenda item 10 (Part II). Report by Hilding Eek, special consultant, on developments in field of freedom of information since 1954.

E/3443/Add.1, 2. Comments of Governments and specialized agencies.

E/4024. Report of 21st session of Commission on Human Rights, Chapters III and XII.

A/6003. Report of Economic and Social Council to General Assembly, Chapter XIII, Section II. (See also pp. 487-88.)

STUDY OF SPECIFIC RIGHTS OR GROUPS OF RIGHTS

STUDY ON RIGHTS OF ARRESTED PERSONS TO COMMUNICATE WITH COUNSEL

In 1961, the Commission on Human Rights asked its four-member Committee on the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile to undertake a study of the right of arrested persons to communicate with those whom it is necessary for them to consult in order to ensure their defence or to protect their essential interest.²⁸ The Committee reported to the Commission's 1963 session on the procedures it would follow and presented a tentative outline of the study.²⁹

The Committee submitted a report on the progress of its work to the Commission's 1965 session. The Commission, however, was unable to consider the matter owing to lack of time and decided to postpone it to its next session. Costa Rica and Senegal were elected as members of the Committee to replace Ecuador and Liberia, whose terms of office expired on 31 December 1965.

STUDY ON THE RIGHT TO FREEDOM FROM ARBITRARY ARREST, DETENTION AND EXILE

In 1962, it will be recalled, the Commission on Human Rights had considered the report of its four-member Committee on the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile, including draft principles on freedom from arbitrary arrest and detention. It had also decided to request comments of Governments on the draft principles before discussing the question further.³⁰

Owing to lack of time for adequate consideration, the Commission on Human Rights (as in 1964) decided at its 1965 session to postpone the matter to its next (1966) session.

²⁸ See Y.U.N., 1962, p. 306.

²⁹ See Y.U.N., 1963, p. 358.

³⁰ See Y.U.N., 1962, p. 322.

DOCUMENTARY REFERENCES

STUDY ON THE RIGHT OF ARRESTED PERSONS TO COMMUNICATE WITH COUNSEL

E/CN.4/871; E/CN.4/881. Right of arrested persons to communicate with those whom it is necessary for them to consult in order to ensure their defence or to protect their essential interests. Progress reports submitted by Committee on Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile.

E/4024. Report of 21st session of Commission on Human Rights, Chapter V.

STUDY ON THE RIGHT TO FREEDOM FROM ARBITRARY ARREST, DETENTION AND EXILE

Study of Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile (including draft Principles on Freedom from Arbitrary Arrest and Detention) (E/CN.4/826/Rev.1). U.N.P. Sales No.: 65.XIV.2.

E/CN.4/835 and Add.1-10, Add.6/Corr.1. Comments of Governments on study and on draft principles.

E/4024. Report of 21st session of Commission on Human Rights, Chapter V.

DRAFT DECLARATION ON THE RIGHT OF ASYLUM

It will be recalled that the draft Declaration on the Right of Asylum, as prepared by the Commission on Human Rights, has been on the agenda of the General Assembly since its fifteenth (1960) session³¹ and, until the twen-

tieth (1965) session, has been referred to the Assembly's Third (Social, Humanitarian and Cultural) Committee, which had adopted the

³¹ See Y.U.N., 1964, p. 363.

text of a preamble and article 1 at the Assembly's seventeenth (1962) session.

In 1965, at the twentieth session, it was pointed out in the Assembly's General Committee by France, Iran and the United States, among others, that the Third Committee had not, because of pressure of work, been able to consider the item for a number of sessions. It was therefore suggested that, in view of the many legal issues involved, the item should be allocated to the Assembly's Sixth (Legal) Committee, the agenda of which was not as heavy as that of the Third Committee. The General Committee recommended that the item be allocated to the Sixth Committee, and the General Assembly so decided on 24 September 1965.

The Sixth Committee decided to establish a Working Group of 15 Members to facilitate work on the item by examining the various procedural questions arising in connexion with the transfer of the item to the Sixth Committee. The Working Group was composed of the representatives of Australia, Bulgaria, Ceylon, Colombia, France, Iraq, Japan, Mali, Nigeria, Norway, the Philippines, the USSR, the United Kingdom, the United States and Venezuela.

Among the recommendations made by the Working Group in its report to the Sixth Committee were the following:

(a) The Sixth Committee should proceed with the draft Declaration independently of the work of codifi-

cation of the right of asylum to be undertaken by the International Law Commission.

(b) The Sixth Committee should accept the wording of the text of the preamble and article 1 of the draft Declaration as already adopted by the Third Committee, subject to a possible review thereof, when other articles were completed, in order to submit the complete text of a draft Declaration to the General Assembly.

(c) The Secretary-General should consult with the sponsors of amendments submitted to the draft Declaration in the Third Committee to ascertain whether they wished those amendments to be submitted to the Sixth Committee.

(d) The Secretary-General should invite Member States to submit comments or to supplement previous comments of the draft Declaration before the twenty-first (1966) session of the General Assembly.

In a draft resolution contained in its report, the Working Group proposed that the Secretary-General should be asked to invite Member States to submit comments and that the Assembly should decide to take up the item on the draft Declaration as soon as possible at its twenty-first (1966) session, with a view to completing the text of the draft Declaration as a whole.

The Sixth Committee adopted the Working Group's draft resolution without discussion. At a plenary meeting on 20 December 1965, the General Assembly unanimously agreed to the Sixth Committee's proposal with the adoption of resolution 2100(XX). (For full text, see DOCUMENTARY REFERENCES **below**.)

DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—20TH SESSION

General Committee, meeting 159.

Sixth Committee, meetings 872, 882, 895.

Plenary Meeting 1404.

A/5926. Note by Secretary-General.

A/C.6/L.564. Note by Secretariat; Annex I: Text of draft Declaration on Right of Asylum adopted by Commission on Human Rights on 15 March 1960; Annex II. Text of preamble and article 1 of draft Declaration as adopted by Third Committee at 17th session of General Assembly (1962).

A/C.6/L.581. Report of Working Group of Sixth Committee on draft Declaration on Right of Asylum, containing draft resolution, adopted by Sixth Committee on 10 December 1965, meeting 895.

A/6163. Report of Sixth Committee.

RESOLUTION 2100(xx), as recommended by Sixth Committee, A/6163, adopted unanimously by Assembly on 20 December 1965, meeting 1404.

"The General Assembly,

"Recalling its resolution 1839(XVII) of 19 December 1962 relating to the draft Declaration on the Right of Asylum,

"Having considered, at the twentieth session, certain procedural aspects of the item with a view to expediting its future consideration,

"1. Requests the Secretary-General to invite those Member States which have not yet done so to submit their comments on the draft Declaration on the Right of Asylum before the twenty-first session of the General Assembly, and to invite those Member States which have previously submitted comments to submit supplementary comments if they so wish;

"2. Decides to take up the item entitled 'Draft Declaration on the Right of Asylum' as soon as possible at its twenty-first session, with a view to completing the text of the draft Declaration as a whole."

OTHER HUMAN RIGHTS QUESTIONS

PUNISHMENT OF WAR CRIMINALS
AND PERSONS COMMITTING
CRIMES AGAINST HUMANITY

At its 1965 session, the Commission on Human Rights considered, upon the proposal of Poland, the question of punishment of war criminals and of persons who had committed crimes against humanity.

In a resolution unanimously adopted on 9 April 1965, the Commission stated its conviction that the prosecution of and punishment for war crimes and crimes against humanity would prevent others from the commission of similar crimes, protect human rights and fundamental freedoms, promote confidence among peoples and contribute to international peace and security. Deeply concerned that no one guilty of war crimes or of crimes against humanity of the Nazi period should escape the bar of justice wherever he might be and whenever he might be detected, the Commission considered that the United Nations must contribute to the solution of the problems raised by war crimes and crimes against humanity, which were serious violations of the law of nations. In addition, the Commission, among other things, requested the Secretary-General to undertake a study of the problem raised in international law by war crimes and crimes against humanity, and, with priority being given to a study of legal procedures, to ensure that no period of limitation applied to such crimes. The Commission also decided to discuss the report concerning the study as a matter of priority at its 1966 session.

In addition, the Commission made two requests of the Economic and Social Council, which the latter subsequently agreed to with the unanimous adoption of resolution 1074 D (XXXIX) on 28 July 1965.

By this resolution, the Council urged all States to continue their efforts to ensure that, in accordance with international law and national laws, the criminals responsible for war crimes and crimes against humanity be traced, apprehended and equitably punished by the competent courts; for this purpose, the Council asked that they should co-operate, in particular, by making available any documents in

their possession relating to such crimes. The Council also invited eligible States which had not yet done so to accede as soon as possible to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. (For text of resolution, see DOCUMENTARY REFERENCES below.)

In connexion with the Council's consideration of the question of punishment of war criminals and of persons who committed crimes against humanity, the representatives of Czechoslovakia and the USSR, in separate communications to the Council President, requested that letters and statements of the German Democratic Republic on the subject be circulated as official documents. Objections to this procedure were made by the representatives of France, the United Kingdom and the United States in a joint communication dated 20 July 1965, on the grounds that such letters and statements from the German Democratic Republic implied that there was a Government other than that of the Federal Republic of Germany which was entitled to speak as the representative of the German people in international affairs. In their view, East Germany was not such a State or Government but was merely an occupied portion of German territory; the only Government entitled to speak for the German people in international affairs was the freely-elected Government of the Federal Republic of Germany.

Replying in letters dated 27 and 29 July 1965, Czechoslovakia and the USSR supported the right of the German Democratic Republic to submit information to the Council. In their opinion, the German Democratic Republic originated in and existed as a result of the German people exercising their right to self-determination. As a sovereign German State, the USSR added, the German Democratic Republic—like the other German State, the Federal Republic of Germany—had normal trade, cultural and diplomatic relations with many countries throughout the world and was party to numerous treaties and conventions both bilateral and multilateral. By submitting valuable information to the Council, the USSR claimed, the German Democratic Republic had contributed

substantially to the consideration of such questions as the safeguarding of human rights, particularly, the just punishment of war criminals and persons who had committed crimes against humanity, and also to consideration of the threat to peace and international co-operation inherent in the revanchiste tendencies in the Federal Republic of Germany.

Replying on 21 December 1965, France, the United Kingdom and the United States objected to the USSR's assertion that the German Democratic Republic had originated as a result of the exercise of self-determination by the German people. They reaffirmed their view that the freely elected Government of the Federal Republic of Germany was the only Government entitled to speak for the German people in international affairs. A USSR letter of 6 January 1966 objected to this position as "unrealistic" and pointed out that more and more sovereign States were accepting the existence of two German States and rejecting the claims of the Federal Republic to speak on behalf of Germany as a whole. In a reply dated 2 March 1966, France, the United Kingdom and the United States wished it placed on record that they could not accept the allegations contained in the USSR letter.

SLAVERY

In July 1965, the Economic and Social Council considered a report on slavery prepared by the Special Rapporteur, Dr. Mohamed Awad. The report contained information received from the Governments of 53 Member States and from interested non-governmental organizations in reply to a questionnaire on slavery which had been formulated by the Secretary-General in consultation with the Special Rapporteur.

On 28 July 1965, the Council unanimously adopted a resolution (1077 (XXXIX)) urging those Governments of United Nations Member States, the specialized agencies and those non-governmental organizations which had not yet replied to the questionnaire to submit replies as soon as possible. The Special Rapporteur was asked to continue his work and to submit a final report to the Council's mid-1966 summer session including suggestions for possible United Nations action in the field of

slavery. The Council also called upon all Members of the United Nations or members of the specialized agencies which had not yet done so to become parties as soon as possible to the International Slavery Convention of 1926 and to the Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery.

The resolution to this effect was adopted on the recommendation of the Council's Social Committee, which approved it on 22 July 1965 by 24 votes to 1, on the basis of a proposal by the United Kingdom. (For full text, see DOCUMENTARY REFERENCES below.)

COMMUNICATIONS ON HUMAN RIGHTS

Under a procedure laid down by the Economic and Social Council,³² communications addressed to the United Nations dealing with the principles involved in promoting universal respect for and observance of human rights are summarized in a non-confidential list distributed every year to the Council's Commission on Human Rights. Other communications concerning human rights (largely complaints alleging denial or violation of such rights) are summarized in a confidential list furnished to the members of the Commission every year in private meeting; the identity of the writers is not disclosed unless they have indicated that there is no objection to disclosure. Copies of the communications summarized in the confidential list are sent to any United Nations Member State referred to in the communications, and any reply which a Government might send is submitted to the Commission, together with the confidential list.

A confidential document of a statistical nature, based on the confidential list of communications without disclosing either the names of the writers or the countries to which they relate, is also presented to the Commission, in compliance with a decision taken at its 1959 session.³³

Accordingly, the Secretary-General submitted a non-confidential and a confidential list of

³² See Y.U.N., 1959, pp. 219-22.

³³ *Ibid.*

communications to the Commission's 1965 session, together with a statistical summary of the confidential list.

The Commission also had before it a note from the Secretary-General indicating certain difficulties which had arisen in applying the procedure established by the Economic and Social Council in 1959³⁴ for handling communications on human rights and suggesting certain changes. The Commission was unable to consider the matter and decided to postpone it to the next session.

TRADE UNION RIGHTS

In accordance with a procedure established by the Economic and Social Council, the Secretary-General forwards to the Governing Body of the International Labour Organisation (ILO) all allegations of violation of trade union rights received from Governments, trade unions or employers' organizations against States members of ILO. In 1965, the Secretary-General received 34 such allegations of infringement of trade union rights.

Communications which allege violation of trade union rights in States Members of the United Nations but not of ILO are forwarded to ILO only after the Secretary-General has sought and obtained the consent of the Government concerned. If such consent is not forthcoming, the case is brought before the Economic and Social Council for consideration and appropriate action. In instances where the Government concerned is neither a Member of the United Nations nor of ILO, the allegation is also referred to the Economic and Social Council. During 1965, no communications falling in these two categories were received.

CREATION OF POST OF UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

In March 1965, Costa Rica proposed that an item entitled "Election of a United Nations High Commissioner for Human Rights" be placed on the agenda for the 1965 session of the Commission on Human Rights. The Commission agreed, after some discussion, to include in its agenda an item entitled "Question con-

cerning implementation of human rights through a United Nations High Commissioner or some other appropriate machinery."

Owing, however, to lack of time, the Commission was unable to take up the item, consideration of which was postponed to its 1966 session.

CONSIDERATION BY ECONOMIC AND SOCIAL COUNCIL

At its mid-1965 session, the Economic and Social Council had before it a communication from Costa Rica to the effect that the Council should recommend that the General Assembly examine at its twentieth (1965) session, possibly through a working group, the question of the election of a United Nations High Commissioner for Human Rights.

During the discussion in the Council, some members felt that, although the practical realization of such a scheme would undoubtedly raise difficulties, there was an unquestionable need to supplement the existing machinery for the promotion of human rights. Some members, while considering the matter of the greatest importance, did not think it possible to study the question adequately at the current session. Other members considered the proposal quite unacceptable, maintaining that its adoption might prejudice the very complex question of the application of human rights. Such authority could not be conferred on one person, since questions of national sovereignty and prerogatives were involved, and any interference in the internal affairs of sovereign States should be avoided.

The Council took no formal decision on the matter.

CONSIDERATION BY GENERAL ASSEMBLY

Later in the year, the question of the post of United Nations High Commissioner for Human Rights was considered at the General Assembly's twentieth session, on the proposal of Costa Rica.

³⁴ Ibid.

Discussion took place mainly in the Assembly's Third (Social, Humanitarian and Cultural) Committee.

Costa Rica submitted a draft resolution whereby the General Assembly would decide to elect a United Nations High Commissioner for Human Rights for a term of five years, to perform, under the authority of the General Assembly, the following functions: (a) to further the realization of human rights and seek to secure the observance of the Universal Declaration of Human Rights; (b) to advise and assist the Commission on Human Rights and other organs of the United Nations on the periodic and other reports and communications of Governments relating to human rights; (c) to report to the General Assembly annually through the Economic and Social Council, and to submit special reports whenever requested by any organ of the United Nations., or in cases of urgency. The Costa Rican proposal also contained a provision to the effect that the High Commissioner might, at the request of any Government, render assistance and services, and report on such assistance and services if it was so agreed with the Government or Governments concerned.

Some Members considered that the ideas contained in the Costa Rican proposal could contribute significantly to the implementation of human rights at the international level and that the High Commissioner would be in a position to bring about satisfactory solutions to human rights problems.

Other Members had reservations about the proposal as it stood. Among the points made were the following: the terms of reference of the High Commissioner should be defined more precisely and care should be taken to avoid any encroachment upon the domestic affairs of States. Also stressed was the need to co-ordinate the activities of the High Commissioner with existing international procedures.

Some representatives considered it inappropriate for the United Nations to take up proposals for the implementation of human rights before the International Covenants on Human

Rights were finally adopted. Moreover, they felt that the study of the problem of the implementation of human rights should not be restricted to one particular proposal when others had been submitted in the past or might be contemplated in the future.

The outcome of the discussions was a decision, later endorsed at a plenary meeting of the Assembly, to request the Economic and Social Council to transmit to the Commission on Human Rights the proposal for the creation of the post of United Nations High Commissioner for Human Rights for study of all aspects of the matter and for report through the Council to the Assembly at its twenty-first (1966) session.

The decision to this effect was embodied in resolution 2062(XX) which the Assembly adopted unanimously on 16 December 1965, on the recommendation of its Third Committee, which approved it on 13 December by 67 votes to 0, with 10 abstentions, on the basis of a proposal by Argentina, Canada, Colombia, Costa Rica, Jamaica, Nigeria and the Philippines.

VICTIMS OF EXPERIMENTS IN NAZI CONCENTRATION CAMPS

In accordance with an Economic and Social Council resolution of 15 September 1951,³⁵ the Secretary-General continued forwarding information to the Government of the Federal Republic of Germany about persons who claimed to have been the victims of so-called scientific experiments in Nazi concentration camps. On 26 July 1951, the Federal Republic had decided, under certain conditions, to give assistance to such victims even when they were ineligible for reparation under the compensation laws in force in the Republic.

As at 31 December 1965, the Secretary-General had forwarded 602 requests to the Federal Government of Germany for assistance from persons claiming to have been the victims of such experiments, as well as additional information submitted by a number of claimants.

³⁵ See Y.U.N., 1951, p. 507.

DOCUMENTARY REFERENCES

PUNISHMENT OF WAR CRIMES
AND PERSONS COMMITTING
CRIMES AGAINST HUMANITY

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 516-521.
Plenary Meeting 1392.

E/4024. Report of 21st session of Commission on Human Rights, Chapter IX.

E/4024, Chapter XII. Draft resolution III, submitted by Commission, adopted unanimously by Social Committee on 14 July 1965, meeting 519.

E/4100. Report of Social Committee, draft resolution D.

RESOLUTION 1074 D (xxxix), as recommended by Social Committee, E/4100, adopted unanimously by Council on 28 July 1965, meeting 1392.

"The Economic and Social Council,

"Having considered resolution 3 (XXI) of the Commission on Human Rights;

"1. Urges all States to continue their efforts to ensure that, in accordance with international law and national laws, the criminals responsible for war crimes and crimes against humanity are traced, apprehended and equitably punished by the competent courts; for this purpose, they should co-operate, in particular, by making available any documents in their possession relating to such crimes;

"2. Invites eligible States which have not yet done so to accede as soon as possible to the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948."

OTHER DOCUMENTS

E/L.1081. Communication of 9 July 1965 from Czechoslovakia transmitting letter and statement of Ministry of Foreign Affairs of German Democratic Republic.

E/L.1084. Communication of 15 July 1965 from USSR transmitting letter and statement of Government of German Democratic Republic.

E/L.1085. Communication of 20 July 1965 from France, United Kingdom and United States.

E/L.1091, E/L.1092. Communications of 27 and 29 July 1965 from Czechoslovakia and USSR respectively.

E/L.1100. Communication of 21 December 1965 from France, United Kingdom and United States.

E/L.1101. Communication of 6 January 1966 from USSR.

E/L.1115. Communication of 2 March 1966 from France, United Kingdom and United States.

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meetings 1336-1345.

A/6003. Report of Economic and Social Council to General Assembly, Chapter XIII, Section VI.

A/6143. Report of Third Committee on reports of Economic and Social Council, paras. 61-65.

SLAVERY

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 522-524.
Plenary Meeting 1392.

E/4056 and Add.1-3. Report of Special Rapporteur on Slavery appointed under Council resolution 960 (XXXVI).

E/AC.7/L.461. Introduction to report of Special Rapporteur (E/4056) and questionnaire on slavery sent to Governments.

E/AC.7/L.466. Introductory statement by Special Rapporteur.

E/AC.7/L.471. United Kingdom: draft resolution, as orally revised by sponsor, adopted by Social Committee on 22 July 1965, meeting 524, by 24 votes to 1.

E/AC.7/L.472. Statement of financial implications of United Kingdom draft resolution, E/AC.7/L.47K
E/4102. Report of Social Committee.

RESOLUTION 1077(xxxrx), as recommended by Social Committee, E/4102, adopted unanimously by Council on 28 July 1965, meeting 1392.

"The Economic and Social Council,

"Having been unable to consider fully the report of the Special Rapporteur on Slavery appointed under Council resolution 960(XXXVI) of 12 July 1963 owing to the report not being available in all the working languages,

"Noting, moreover, that sixty-one Member States have not so far replied to the Questionnaire on Slavery circulated by the Secretary-General,

"1. Urges those Governments of Member States, the specialized agencies and those non-governmental organizations which may not have replied to the Questionnaire to submit replies as soon as possible to assist the Special Rapporteur to complete his work;

"2. Requests the Special Rapporteur to continue his work and to submit a final report to the Council at its forty-first session and to include in that report suggestions for possible action by the United Nations in the field of slavery;

3. Calls upon all States Members of the United Nations or members of the specialized agencies which have not yet done so to become parties as soon as possible to the International Slavery Convention of 1926 and the Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery."

A/5803. Report of Economic and Social Council to General Assembly, 19th session, Chapter IX, Section IX.

A/6003. Report of Economic and Social Council to>

General Assembly, 20th session, Chapter XIII, Section IX.

A/6143. Report of Third Committee on Reports of Economic and Social Council (General Assembly, 20th session), para. 60.

COMMUNICATIONS ON HUMAN RIGHTS

E/4024. Report of 21st session of Commission on Human Rights, Chapter VIII.

TRADE UNION RIGHTS

E/4024. Report of 21st session of Commission on Human Rights, Chapter VIII.

CREATION OF POST OF UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 516-520.
Plenary Meeting 1392.

E/4024. Report of 21st session of Commission on Human Rights, paras. 9, 13-25.

E/L.1080. Letter of 6 July 1965 from Costa Rica concerning its request of 18 March 1965 for inclusion of item entitled: "Election of a United Nations High Commissioner for Human Rights" in agenda of 21st session of Commission on Human Rights (E/CN.4/887 and Corr.1).

E/4100. Report of Social Committee, para. 22.

GENERAL ASSEMBLY—20TH SESSION
Third Committee, meeting 1372.
Plenary Meeting 1397.

A/5963. Letter of 16 August 1965 from Costa Rica proposing inclusion in agenda of item entitled: "Creation of the post of United Nations High Commissioner for Human Rights" and submitting draft resolution.

A/6003. Report of Economic and Social Council to General Assembly, Chapter XIII, Section VII.

A/C.3/L.1288. Note by Secretary-General on financial implications of draft resolution submitted by Costa Rica in document A/5963.

A/C.3/L.1328. Argentina, Canada, Colombia, Costa Rica, Jamaica, Nigeria, Philippines: draft resolution, as orally revised, adopted by Third Committee on 13 December 1965, meeting 1372, by 67 votes to 0, with 10 abstentions.

A/6167. Report of Third Committee.

RESOLUTION 2062 (xx) as recommended by Third Committee, A/6167, adopted unanimously by Assembly on 16 December 1965, meeting 1397.

"The General Assembly,

"Considering that the agenda of its twentieth session included the item entitled 'Creation of the post of United Nations High Commissioner for Human Rights,'

"Considering that owing to other priorities the proposal relating to this question could not be considered,

"Convinced that it would be useful to obtain the opinion of the most appropriate United Nations organ to deal with the matter,

"1. Requests the Economic and Social Council to transmit to the Commission on Human Rights the proposal for the creation of the post of United Nations High Commissioner for Human Rights, for study of all aspects of the matter and for report, through the Council, to the General Assembly at its twenty-first session;

"2. Requests the Secretary-General to provide all pertinent documents concerning that proposal to the Commission on Human Rights."

VICTIMS OF EXPERIMENTS IN NAZI CONCENTRATION CAMPS

E/1915, E/2087, E/2259, E/2378, E/3069, E/3640 and Add.I. First to sixth progress reports submitted to Economic and Social Council by Secretary-General, 1950-1962.

REPORT OF COMMISSION ON HUMAN RIGHTS

ECONOMIC AND SOCIAL COUNCIL—39TH SESSION
Social Committee, meetings 516-522, 524.
Plenary Meetings 1391, 1392.

E/4024. Report of Commission on Human Rights, 21st session, 22 March-15 April 1965 (for list of documents before Commission, see Annex I).

E/4024, Chapter XII. Draft resolution V, as proposed by Commission, adopted unanimously by Social Committee on 16 July 1965, meeting 521.

E/4100 and Add.I. Report of Social Committee, draft resolution A.

RESOLUTION 1074 A (xxxix), as recommended by Social Committee, E/4100 and Add. 1, taking note of Commission's report, adopted unanimously by Council on 28 July 1965, meeting 1392.

OTHER DOCUMENTS

Yearbook on Human Rights for 1962. U.N.P. Sales No.:65.XIV.1.

A/INF/108 and Corr.1. Human Rights Day: Observance of 16th anniversary of Universal Declaration of Human Rights.