

HUMAN RIGHTS COMMISSION

FIRST SESSION

SUMMARY RECORD OF THE FIRST MEETING

Held at Lake Success, New York, on Monday, 27 January 1947, at 11:00 a.m.

Present:

Mr. J.C. Moore	(Australia)
Mr. Roland Lebeau	(Belgium)
Mr. T. Kawinsky	(Byelorussian Soviet Socialist Republic)
Dr. P.C. Chang	(China)
Mr. Osman Ebeid	(Egypt)
Mrs. Karsa Mehta	(India)
Dr. Ghassame Ghani	(Iran)
Dr. Charles Malik	(Lebanon)
General Carlos F. Romulo	(Philippine Republic)
Mr. Charles Dukes	(United Kingdom)
Mrs. Eleanor Roosevelt	(United States of America)
Mr. V.F. Tepliakov	(Union of Soviet Socialist Republics)
Mr. José A. Mora	(Uruguay)

Representatives of
Specialized Agencies:

Mr. Eric W. Hutchison	(International Labour Organization)
Mr. Valere Darchambeau	(UNESCO)

Representatives of
Non-governmental Agencies:

Miss Lena Spiegel	(WFTU)
Mr. Wallace Campbell	(International Cooperative Alliance)

Secretariat:

Mr. Henri Laugier
Mr. J.P. Humphrey

1. Opening Remarks

The meeting was called to order by Mr. Laugier who, in emphasizing the significance of this first session of the full Human Rights Commission, stated that no one part of the action undertaken by the United Nations to make peace secure had more power or a wider scope than this. The task of the Human Rights Commission amounted to following up in the field of peace the fight

* Cancel and destroy Document E/CN.4/SR.1-18 (7 January 1947) concerning number of meetings.

which free humanity had waged in the fields of war, defending against all offensive attacks the rights and dignity of man, and establishing, upon the principles of the United Nations Charter a powerful international recognition of rights. The General Assembly of the United Nations had never lost sight of these principles, as witness the strongly worded resolution which proclaimed genocide to be an international crime; the resolution calling upon Member States to put an end to religious and racial persecution and discrimination; and the resolution dealing with the treatment of Indians in the Union of South Africa. The action taken in the case of South Africa established a precedent of fundamental significance in the field of international action. The General Assembly had also passed the Danish resolution calling upon Member States to grant equal political rights to women, a resolution the moral force of which would be of inestimable value to the Commission on the Status of Women. A further resolution instructed the Economic and Social Council to call a conference of all members of the United Nations on Freedom of Information which, the resolution stated, was "an essential factor in any serious effort to promote the peace and progress of the world." It should be remembered, moreover, that out of these debates the general impression had arisen that no violation of human rights should be covered up by the principle of national sovereignty, and that violations of the Charter in one State constituted a threat to all, and should set in motion the defense mechanisms of the international community.

Included on the Commission's agenda were the tasks of drafting an International Bill of Rights, and establishing Sub-commissions on Freedom of Information, on Prevention of Discrimination, and on Protection of Minorities. The Commission would be faced also with the problem of considering a large number of appeals and communications addressed to the United Nations from groups and individuals who considered themselves to be victims of violations of their rights. Whether this right of appeal did actually exist in the texts or not (and he himself inclined

/to doubt

to doubt it), it was important to acknowledge that the right was alive in the hearts and minds of men and that these appeals established a direct link between the United Nations and men in quest of justice. The problem for the Commission lay in discovering and defining its competence, its procedure, its means of action and its peaceful weapons for the defense of justice. If the Commission decided, as seemed likely, that it was not competent to conduct inquiries and hold hearings concerning violations of human rights, it could still, however, submit proposals as to the setting up of machinery for the hearing of such appeals.

Mr. LAUGIER added that, owing to transport difficulties, the Representative of Chile would arrive in New York on 1 February, and the Representative of Yugoslavia, Mr. Ribnikar, was also delayed. Colonel Hodgson, the Representative of Australia, had also been delayed and would be replaced temporarily by Mr. Moore. Professor Cassin of France hoped to arrive in New York on 30 January. Mr. Neogy of India had resigned and would be replaced by Mrs. Hansa Mehta who would have full powers pending the confirmation of her nomination by the Economic and Social Council at its next meeting. The same applied to the Representative of Iran, Dr. Ghani, and to the Representative of Egypt, Mr. Ebeid, who is replacing Mr. Saad Kamel. The Belgian Government had informed the Secretary-General that Mr. Dehousse was unable to attend, and would be replaced by Mr. Roland Lebeau who would act as a temporary deputy without the right to vote, until the Economic and Social Council had examined this question of deputies at its next meeting. This also applied to Mr. Ribnikar, the Yugoslav Representative replacing Dr. Stilinovic. The International Labor Office would be represented by Mr. Eric Hutchison, and the United Nations Educational, Scientific, and Cultural Organization by Mr. Valere Darchambeau. Non-governmental Organizations would participate in an advisory capacity. They were the American Federation of Labor, the International Co-operative Alliance, the International Chamber of Commerce, World Federation of Trade Unions, and the International Labor Organization.

2. Election of Chairman

Mrs. HANSA MEHTA (INDIA) proposed Mrs. Roosevelt as Chairman, paying tribute to her work as Chairman of the nuclear Commission on Human Rights.

General ROMULO (PHILIPPINE REPUBLIC) moved that nominations be closed and Mrs. Roosevelt was unanimously elected Chairman.

Mr. LAUGIER, in handing over the chairmanship, also paid tribute to Mrs. Roosevelt.

The CHAIRMAN referred to the high standards of achievement which had been set by Mr. Laugier and emphasized the importance of the work which faced the Commission. It had a mandate to write a Bill of Human Rights and had not as yet any way of enforcing its decisions. She felt, however, that the Commission was so constituted that it would meet the problems adequately.

3. Election of Vice-Chairman

Mr. DUKES (UNITED KINGDOM) proposed Dr. P. C. Chang, mentioning the quality of his work in the field of Human Rights. Dr. Chang was unanimously elected.

4. Election of the Rapporteur

General ROMULO (PHILIPPINE REPUBLIC) nominated Dr. Charles Malik, as Rapporteur, referring to his participation in the work of the United Nations at San Francisco, London, and in the General Assembly of 1946. Dr. Malik was unanimously elected.

5. Adoption of Provisional Agenda

Mr. HUMPHREY (SECRETARIAT) stated that this agenda had been drawn up by the Human Rights Division and members should make any suggestions or modifications they pleased.

The CHAIRMAN said she had been asked by her Government to suggest that Item No. 13 should be dealt with as two separate items as they referred to separate matters. This was agreed.

/Mr. MOORE

Mr. MOORE (AUSTRALIA) stated that he understood Colonel Hodgson, the Australian Representative, wished to suggest to the Commission that it deal with Items 8, 11, 12 and 15 together.

The CHAIRMAN said that the Commission could wait to adopt the Provisional Agenda or could adopt it on the understanding that it could later modify the manner in which the items were treated.

Mr. DUKES said he was anxious they should not be combined until they had heard the reason for including Item 15 with the others. He asked to reserve consideration until Colonel Hodgson arrived.

The CHAIRMAN suggested taking a vote on the Provisional Agenda with the understanding that when Colonel Hodgson arrived and made his statement the Commission would have the right to consolidate items or eliminate items as might be decided. The Provisional Agenda was then adopted on that understanding.

6. Adoption of Rules of Procedure.

The CHAIRMAN said it seemed to her that there should be uniform Rules of Procedure for all Commissions, a matter which would come before the Economic and Social Council. She suggested that the proposed Rules of Procedure be accepted provisionally and it be left to the Economic and Social Council to review the rules so that they should be uniform for future commissions.

Mr. TEPLIAKOV (USSR) said that as no member of the Commission had had a chance to consider the Rules of Procedure presented by the Secretariat he would move that the Commission should adopt the Rules of Procedure of the Economic and Social Council provisionally.

Mr. DUKES said that deferring the matter would provide an opportunity to study the rules and form opinions more accurately. There were some rules concerning timing and duration of conferences which would be of importance if fullest attendance were desired.

/The CHAIRMAN

The CHAIRMAN pointed out that the Commission was at present governed by the rules of the Economic and Social Council and suggested that the easiest way was to put off consideration of this item until the following day, when members would be better prepared to vote.

It was unanimously agreed to postpone consideration of Item 6 until the following day.

7. Review of Terms of Reference.

The CHAIRMAN read document E/248 "The Consolidated Terms of Reference of the Commission on Human Rights and its Sub-Commissions." She drew members' attention to paragraph 2, sub-paragraph (b) which mentioned the Commission's interest in the status of women. The Chairman thought that, in view of the fact that there was now a Commission on the Status of Women, there might be some duplication.

Mr. LEBEAU (BELGIUM) said the question was pertinent but explained that the document had been drawn up when the organ concerned with the status of women was a Sub-Commission of the Commission of Human Rights. The position was different now. He considered the Commission on the Status of Women should report directly to the Economic and Social Council, and not to the Commission on Human Rights.

Mr. TEPLIAKOV (USSR) said he was against striking out the words "status of women". When it came to discussion on the International Bill of Rights, the Commission was entitled to deal with all questions within the field of Human Rights.

Mrs. HANSA MEHTA (INDIA) agreed with Mr. Tepliakov. When discussing the Bill of Rights, the status of women would have to be considered in co-operation with the Commission on the Status of Women.

General ROMULO (PHILIPPINE REPUBLIC) also agreed with the Soviet Representative that the status of women was an integral part of whatever Bill of Rights would be discussed.

/The CHAIRMAN,

The CHAIRMAN, in summing up the opinions expressed, observed that the Commission would have to evolve a basis of co-operation with the Commission on the Status of Women lest they find themselves at odds with that Commission's recommendations.

Mr. LEBEAU (BELGIUM) said the Commission could not approve or disapprove the Terms of Reference, which were formal instructions from the Economic and Social Council. The Commission could later, if necessary, present observations to the Economic and Social Council.

The CHAIRMAN drew Members' attention to paragraph 4 of the document which stated that the Commission might propose to the Council any changes in its Terms of Reference. She suggested that Members might like to study the document during the luncheon adjournment.

The meeting adjourned at 1:00 p.m.
