

United Nations
ECONOMIC
AND
SOCIAL COUNCIL

Nations Unies
CONSEIL
ECONOMIQUE
ET SOCIAL

UNRESTRICTED

E/CN.4/SR.47
1 June 1948
ORIGINAL: FRENCH

COMMISSION ON HUMAN RIGHTS

Third Session

SUMMARY RECORD OF THE FORTY-SEVENTH MEETING

Held at Lake Success, New York,

on Monday, 24 May 1948, at 2.30 p.m.

<u>Chairman:</u>	Mrs. Franklin D. ROOSEVELT	United States of America
<u>Rapporteur:</u>	Mr. MALIK	Lebanon
<u>Members:</u>	Mr. HOOD	Australia
	Mr. LEBEAU	Belgium
	Mr. SANTA CRUZ	Chile
	Mr. CHANG	China
	Mr. CASSIN	France
	Mrs. MEHTA	India
	Mr. QUILIANO	Panama
	Mr. LOPEZ	Philippines
	Mr. PAVLOV	Union of Soviet Socialist Republics
	Mr. WILSON	United Kingdom
	Mr. MORA	Uruguay
	Mr. VIIFAN	Yugoslavia
<u>Specialized Agencies:</u>		
	Mr. LEBAR	United Nations Educational, Scientific and Cultural Organization
	Mr. HOWELL	World Health Organization
<u>Non-Governmental Organizations:</u>		
	Miss SENDER	American Federation of Labor
	Mr. Van ISTENDAEL	International Federation of Christian Trade Unions
	Miss STUART	World Federation of United Nations Associations

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Mr. GOLDSMITH	Agudas Isreal World Organization
Mr. BROTMAN	Co-ordinating Board of Jewish Organizations
Miss STRAHLER	International Committee of the Red Cross
Miss BURGESS	International Federation of Business and Professional Women
Miss ROBB	Liaison Committee of Women's International Organizations
Mr. BIENENFELD	World Jewish Congress

Inter-governmental Organization:

Mr. STONE	Preparatory Commission of the International Refugee Organization
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Secretariat:

Mr. LAUGIER	Assistant Secretary-General in charge of the Department of Social Affairs.
Mr. HUMPHREY	Director, Human Rights Division

The CHAIRMAN proposed that the Commission should define its working procedure.

Mr. CASSIS (France) thought the Commission should begin by dealing with the Declaration which was the first document on which agreement could be reached: the drafting of that document was moreover, the first task assigned to the Commission by the Economic and Social Council. The Commission should then examine the implementation of the Covenant for the twofold reason that only the broad aspects of that matter had been discussed at the Geneva session, and because the Economic and Social Council had stressed the need for drafting precise texts on that subject. To gain time, a drafting sub-committee could be asked to do the preliminary work while a plenary session of the Commission discussed the Covenant which had already been carefully examined by the Drafting Committee.

Mr. PAVLOV (Union of Soviet Socialist Republics) thought the Commission should first of all discuss in detail the general questions connected with the contents of the Declaration and of the Covenant, and the relationship between the two. In order to simplify the work, the

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Commission should then proceed to make a simultaneous study of the articles that were to be found in both the Declaration and the Covenant. To expedite matters, the Secretariat could prepare a table of those articles. Thirdly, the Commission would discuss the remaining articles in both documents and would then, following the French representative's proposal, finish the examination of the articles of the Declaration before proceeding to an examination of the Covenant.

Consequently, it was essential to begin by a general discussion on the contents of the Declaration and the Covenant, then to consider the general principles embodied in those documents and finally to study the question of their implementation.

The CHAIRMAN supported the USSR representative's proposal to ask the Secretariat to draw up an analytical report showing the articles to be found in both the Declaration and the Covenant, as well as the views of the various delegations on those articles. She pointed out that any general discussion should be short and reminded the Commission that, whatever the method of work adopted, it was necessary to reserve a considerable place for the problem of implementation.

Mr. WILSON (United Kingdom) supported the proposal of the French representative. The USSR proposal was tempting but gave rise to difficulties. The Commission had always examined the two documents separately, and changing methods at that session might lead to confusion. Moreover, the aims of the Declaration and of the Covenant were different, and each of those two documents was a unit that had to be examined as a whole. He hoped the Commission would avoid useless general discussions as the views of various delegations were already known. One question, however, did call for a general discussion: The aims of the Declaration and of the Covenant, and, consequently, the final drafting of those
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documents.

Mr. CASSIN(France) thought the USSR proposal had logical advantages, but it was necessary to remember that the question of implementation had already been delayed. The USSR proposal could, however, be taken into account during the examination of the articles of the Declaration. Some of those were also to be found in the Covenant, and the Commission would be called upon to display method and self-restraint in drafting such articles more briefly and, perhaps, in deciding not to draft them in their final form.

Mr. LOPEZ((Philippines) did not see how the Commission could examine the question of implementation before completing the examination of the Covenant. He thought such a method was illogical.

Mr. CASSIN (France) said that the draft prepared by the Drafting Committee would give the Commission a sufficiently clear idea of the Covenant to enable it to study its implementation.

Mr. PAVLOV (Union of Soviet Socialist Republics) stressed the need for a preliminary exchange of views on the Declaration and the Covenant in order to clarify the relationship between the two. That work had not been done yet. No logical reasons had yet been put forward to explain why certain articles were to be found in the Declaration and not in the Covenant. The Commission should then discuss the articles dealing with the same subject in the Declaration and in the Covenant. The Commission would thus gain valuable time. Thirdly, it could discuss separately those parts of the Declaration and Covenant which were different. Such a discussion would not take much time because the articles in question were mainly formal. As regards implementation, he agreed with the Philippines representative. It was necessary to decide first what was to
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be implemented and then only to discuss implementation itself. Implementation, therefore, came fourth.

The CHAIRMAN proposed putting to the vote the proposal of the French representative and then the proposal of the USSR representative.

Mr. PAVLOV (Union of Soviet Socialist Republics) asked that the Commission should not vote on the matter because of the absence of the Byelorussian and Ukrainian representatives. He recalled that it had been decided at a previous meeting not to settle important questions before the arrival of those representatives.

Mr. VIIFAN (Yugoslavia) supported the USSR representative and pointed out that it was not merely a question of the formal participation of those representatives in the vote but also of their participation in the discussion. The Commission could not estimate in advance the value of the contribution they might make to the debate.

The CHAIRMAN said the Commission might consider giving those representatives the right to register their vote with the Secretariat on their arrival. Personally, she felt that the decision in question, which concerned the Commission's method of work, was of secondary importance, and that since the necessary quorum existed a vote could be taken in the absence of those representatives.

Mr. LEBEAU (Belgium) stressed that the decision the Commission had adopted at its previous meeting related only to essential questions, that is to say, to the examination of the texts of the Declaration and Covenant. He thought that the question in hand was of secondary importance and could be settled immediately. He was in favour of the French proposal as supported by the representative of the United Kingdom.

Mr. LOUFTI (Egypt) supported the proposal of the Belgian

representative.

Mrs. MEHTA (India) felt that the Declaration should be discussed first and the implementation later; she supported the French proposal for setting up a sub-committee to do the preliminary work on that question. There already existed a draft of the Covenant and the Commission would be able to judge approximately which provisions would have to be implemented. She did not think the question of the method of work was sufficiently important to be postponed until the arrival of the two absent representatives.

The CHAIRMAN put to the vote the question of whether the Commission wished to vote immediately on the method of work.

The Commission decided to proceed to a vote by eight votes to two, with one abstention.

The CHAIRMAN put to the vote the working procedure proposed by the French representative.

That procedure was adopted by nine votes to two.

Mr. PAVLOV (Union of Soviet Socialist Republics) suggested making it possible for the representatives of the Byelorussian SSR and the Ukrainian SSR to register their votes upon their arrival.

The CHAIRMAN put to the vote the proposal of the USSR representative.

The USSR proposal was adopted by four votes to two, with five abstentions.

The CHAIRMAN pointed out that that decision would also apply to representatives of delegations which were represented at the meeting only by alternates without a vote.

Examination of item 9 of the agenda concerning the role of the information

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groups and the local human rights committees.

The CHAIRMAN observed that there were two resolutions on the subject: one adopted by the Economic and Social Council and the other by the last session of the Commission.

The United States maintained contact with two hundred such groups to which it communicated all the relevant United Nations documents. Regular meetings were organized with those groups, and the latest had been held on 4 March 1948. The discussion had dealt with civil rights, economic rights, the Covenant and freedom of information.

Mr. CASSIN (France) said France had not yet set up an official information group on human rights and was waiting for the outcome of the present exchange of views. France had, however, set up a temporary group, the Consultative Committee on Human Rights, which included representatives of the League for the Rights of Man, professors, writers, outstanding persons in parliament circles and other persons with the requisite specialized knowledge. The French Government wanted to hear the views of other delegations on two or three important points. In particular, France would like to know whether the groups should be organized as private organizations with Government support, or as official or semi-official organization. Both courses presented certain advantages: private groups would enjoy greater freedom of expression, while semi-official offices would be entitled not only to receive information from the Commission on Human Rights but also to inform the Commission on trends of public opinion in various countries and even on how human rights were being respected.

The French representative would appreciate more detailed information regarding the activities of such groups in Turkey, the Dominican Republic, Haiti, the Netherlands or El Salvador.

Mr. HOOD (Australia) said that question should be examined at the end of the session when the final draft of the Covenant would already

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be before the Commission. In the meantime, the Secretariat could prepare a working paper on information groups and their functions to be used at a later stage.

The CHAIRMAN accepted that proposal.

Miss SENDER (American Federation of Labor) said that the setting up of such groups had been recommended by the Economic and Social Council not only in connexion with the implementation but also with the drawing up of the Covenant. She regretted more countries had not set up such groups to express the views of public opinion on human rights.

Following upon a proposal by the Chairman, the Commission decided that amendments of substance to the first ten articles should be submitted in writing to the Secretariat as soon as possible, so that they could be distributed before the discussion on the Declaration.

The Commission also decided to set up a small drafting sub-committee composed of the representatives of France and the United Kingdom to supervise the incorporation of the necessary changes of style in the Declaration and the Covenant in the two working languages. The same task would be entrusted to Russian, Spanish and Chinese speaking representatives in respect of the translations of the two documents into their own languages.

The meeting rose at 4.30 p.m.