

**ECONOMIC
AND
SOCIAL COUNCIL**

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ET SOCIAL**

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ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS OF THE ECONOMIC AND SOCIAL COUNCIL

SUMMARY REPORT OF MEETINGS

Sixth meeting held on 6 May 1946 at 10:30 A.M.

Chairman: Mrs. Franklin D. Roosevelt

The Chairman discussed the advisability of holding the last meeting of the present session of the nuclear Commission on Human Rights Friday, 17 May with the possibility of perhaps meeting again on Monday, 20 May if it should be absolutely necessary. She announced that the Sub-Commission on the Status of Women would hold its last meeting on 13 May to give the Commission on Human Rights time to consider its report.

M. Cassin suggested that it might be preferable to meet every day from 13 May on, to wind up the general work of the Commission on 16 May and then, if necessary, to hold a supplementary meeting on the 20 May. M. Cassin's suggestion was adopted.

The members then read "Composition of the Commission of the Economic and Social Council - Memorandum submitted by the United States Delegation to the United Nations" (E/Commissions/3).

The Chairman noted that the suggestions of the United States Delegation as to size of the full Commission were in general agreement with the recommendations informally decided upon by the Commission. She pointed out that the United States Delegation proposed that each government should make three nominations for membership on the Commission on Human Rights, while the nuclear Commission had informally agreed on two nominations. The only new suggestion was contained on

Page 5, Paragraph (d) of E/Commissions/3 that

"The methods of selection ... (for membership on the Commission) ... would not apply to ad hoc working groups or parties whether appointed from its own membership or otherwise, which any commission may desire to set up to consider special issues. Such working parties might be set up by the commissions or sub-commissions themselves without reference to the Economic and Social Council provided they are set up and appointments made in consultation with the appropriate Assistant Secretary-General and on the condition that financial limits set by the Economic and Social Council are not exceeded."

The Chairman then proceeded to discuss the informal agreement reached by the Commission concerning type of membership, which was re-drafted as follows:

TYPE OF MEMBERSHIP

1. All members of the Commission on Human Rights should serve as non-governmental representatives;
2. All Member States of the United Nations should have the right to nominate not more than two individuals for the Commission;
3. Each Member State desiring to do so could nominate a national of another nation;
4. The full list of nominees should be submitted to the Council and from this list alone the Council should appoint the members of the full Commission on Human Rights;
5. The Economic and Social Council should at all times pay due regard to equitable geographical distribution and to personal qualifications of the nominees for service on the Commission on Human Rights.

The Commission decided not to change its recommendations that governments of the United Nations should have the right to nominate not more than two individuals for the full Commission on Human Rights. The Commission also agreed that its preliminary recommendations concerning the number of members (eighteen) and their term of office (three years, initial appointments to be made in three classes) should stand. Concerning re-eligibility, Mr. Neogy asked for information on how to fit the nine members of the nuclear Commission whose term expired 31 March 1947, into the full Commission to be appointed for a three-year term by the Economic and Social Council. He pointed out that it might be preferable if members of the nuclear Commission resigned to give the Economic and Social Council the opportunity of naming all the members of the full Commission.

The Chairman pointed to the terms of reference for the nuclear Commission (E/27, Page 2, Paragraph 6), which said that

"Initially, the Commission shall consist of a nucleus of nine members appointed in their individual capacity for a term of office expiring 31 March 1947. They are eligible for re-appointment."

Under those terms the Economic and Social Council has the authority to request their resignation or to re-appoint them to any one of the three categories recommended for initial appointments.

M. Cassin agreed with the Chairman, but suggested that the nuclear Commission has the obligation to meet and carry on its work until the full Commission is appointed by the Economic and Social Council.

After Mr. Brkish had concurred with M. Cassin's opinion, the Chairman stated as the understanding of the nuclear Commission that appointments to the full Commission would be entirely the responsibility of the Economic and Social Council, but that the nuclear Commission would continue its work until the full Commission is appointed.

Frequency of Meetings

The Chairman recalled that three sessions annually have been recommended and that it might be possible for the Commission to decide whether these sessions should precede, coincide with, or follow the sessions of the Economic and Social Council.

M. Cassin felt that the nuclear Commission was not in a position to recommend either the number of sessions or their duration for the full Commission, but that it should make recommendations to the Economic and Social Council whether and when the nuclear Commission should hold another session.

The Commission agreed to inform the Economic and Social Council that the Commission would be ready to meet at the call of the Council and to take up any work upon which the Council might decide.

Corresponding Members

Dr. Hsia announced that he did not favour the League practice of naming members of the Commission "corresponding members" upon their resignation. The Chairman then asked for a discussion of the question of non-government experts who might be invited by the Commission to serve on ad hoc working groups for the consideration of specific problems as suggested both in the United Kingdom Delegation document (E/Commissions/2) and the United States Delegation memorandum (E/Commissions/3).

M. Cassin agreed that it would be premature to discuss corresponding members at this early moment, but stressed that it was important to recommend that the Commission should be able to call in experts without reference to the Economic and Social Council, as these experts might be needed at a time when the Economic and Social Council was not in session. For financial reasons, the approval of the President of the Economic and Social Council and of the Secretary-General should be sought.

Answering the question by Mr. Neogy, the Secretary explained that corresponding members of commissions under the League of Nations functioned as advisors on matters in which they had particular knowledge and experience. Mr. Kriukov felt that there was no need for corresponding members, but ad hoc committees of experts should be recommended. Mr. Brkish suggested that these experts should be called in for special problems and should not have the right to vote. The Chairman explained that it had never been considered to grant them that right.

The Chairman then read the suggestion in the United States Delegation memorandum E/Commissions/3, Page 4:

"The possibility should not be ruled out to empower members of any one commission to co-opt a limited number of experts in their personal capacity (preferably not more than one third of the total membership of the commission)."

It was decided that the nuclear Commission had already come to an agreement that appointments to the full Commission should be made solely from nominations by the United Nations government.

M. Cassin suggested that the League definition of corresponding members might be too narrow and that it might be found desirable to have one corresponding member in each country. He also proposed that the Commission recommend that not only groups of non-governmental experts might be called, but, if necessary, one expert could be appointed by the Commission.

The Commission thereupon agreed to recommend to the Economic and Social Council that the Commission on Human Rights should be authorized to call in ad hoc working groups of non-governmental experts or individual experts without reference to the Economic and Social Council, but with the approval of the President of the Council and the Secretary-General.

Reciprocal Representation

The Chairman referred to the Report of the Preparatory Commission of the United Nations (Page 39, Paragraph 39) that

"To facilitate collaboration between Commissions working in allied fields, suitable arrangements for reciprocal representation should be made."

She suggested that the Commission might also consider again M. Laugier's suggestion that a special committee be created to co-ordinate the work of the different commissions now in session.

Mr. Brkish proposed that the Commission on Human Rights should be represented on all other commissions in allied fields.

The Secretary explained the committee suggested by M. Laugier was to co-ordinate the work of the commissions now in session particularly as far as Item 9 of the agenda, Definitive Composition of the Commissions, was concerned. As the Commission had already agreed to name one of its members to this committee, should it be established, no further action had to be taken on this memorandum.

M. Cassin proposed that a member representing another commission would not be qualified to vote, but would be qualified to take part in the discussion of problems.

Dr. Hsia pointed out that not all commissions in allied fields might meet at the same time and that, therefore, representation might prove difficult.

After the Secretary had explained that the Commission was, at present, expected only to confirm the Report of the Preparatory Commission and after M. Cassin had suggested that representation should not be rigidly defined but interpreted as representation either by a member of the Commission or by a member of the Secretariat, the Commission decided to approve the Report of the Preparatory Commission (Page 39, Paragraph 39).

Specialized Agencies

The Chairman read the Report of the Preparatory Commission (Page 39, Paragraph 40), concerning specialized agencies:

"The Council should make appropriate arrangements for the participation of specialized agencies in the work of the commissions, in accordance with the terms of agreement with each agency."

The Commission confirmed the views expressed in the Report.

Decision:

As agreement had been reached on all points of Item 9 of the agenda, and as it had been decided earlier to vote on all points together, the Commission now voted unanimously that the informal agreements on the different points concerning the definitive composition of the Commission should constitute the final recommendations by the nuclear Commission on Human Rights to the Economic and Social Council.

The Chairman then proposed that the Commission next consider Item 8 of the agenda: Examination of Documents Submitted by Members of the United Nations.

Mr. Neogy recalled the Chairman's suggestion at an earlier meeting that the Commission should formally consider these documents but that no decision should be made before the members had had an opportunity to study the material on human rights which was now being collected by the Secretariat. The Chairman then explained that the Economic and Social Council did not expect the nuclear Commission to write a bill of rights during this session, but that the Commission was expected to make recommendations on how such a bill of human rights should be written and whether sub-commissions might be established to study different problems or whether the whole Commission should work on it. In any case, the nuclear Commission should decide on the method

to be used in dealing with the problems concerning the promotion of human rights.

M. Cassin added that it might be most advisable to have an informal exchange of views among the members, in an effort to determine methods of drafting an international bill of rights.

The Commission decided to hold a closed drafting session for that purpose.

The meeting was adjourned at 12:30 P.M.
