



Thursday, 17 January 1952, at 3 p.m.

Palais de Chaillot, Paris

CONTENTS

	Page
Draft international covenant on human rights and measures of implementation (A/1883, A/1884 (chapter V, section I), E/1992, E/2057 and Add.1 to 5, E/2059 and Add.1 to 8, E/2085 and Add.1, A/C.3/559, A/C.3/L.88, A/C.3/L.180, A/C.3/L.182, A/C.3/L.186 and Add.1, A/C.3/L.203/Rev.1, A/C.3/L.220 (continued)	263

Chairman : Mrs. Ana FIGUEROA (Chile).

Draft International covenant on human rights and measures of implementation (A/1883, A/1884 (chapter V, section I), E/1992, E/2057 and Add.1 to 5, E/2059 and Add.1 to 8, E/2085 and Add.1, A/C.3/559, A/C.3/L.88, A/C.3/L.180, A/C.3/L.182, A/C.3/L.186 and Add.1, A/C.3/L.203/Rev.1, A/C.3/L.220 (continued)

[Item 29]*

**REVISED DRAFT RESOLUTION SUBMITTED BY POLAND
(A/C.3/L.203/Rev.1) (continued)**

1. The CHAIRMAN said that the Mexican proposal adopted at the Committee's 387th meeting to the effect that the consideration of the Polish draft resolution (A/C.3/L.203/Rev.1) should be resumed after an interval for the submission of further information would stand only if the joint procedural motion (A/C.3/L.220) was rejected. The Committee had decided at its 391st meeting that the vote on the joint procedural motion should be taken immediately.

2. Mr. KATZ-SUCHY (Poland), speaking on a point of order, maintained that a vote on the joint motion implied the reconsideration of the Mexican proposal and, under rule 122 of the rules of procedure, would require a two-thirds majority for its adoption.

3. The CHAIRMAN disagreed with the Polish representative's opinion and maintained her initial ruling.

4. Mr. PAVLOV (Union of Soviet Socialist Republics), speaking on a point of order, formally moved a procedural amendment to the joint procedural motion (A/C.3/L.220) as follows :

"Delete all words after the word 'decides' and substitute the following : 'to transmit the draft resolution embodied in document A/C.3/L.203/Rev.1

and the records of the Committee containing the discussion of this matter to the President of the General Assembly so that he may decide in connexion with what item of the agenda of the sixth session of the General Assembly it should be considered'".

5. In moving that amendment, he was deeply aware of the lives at stake and the Third Committee's responsibility in the matter. No misuse of the rules of procedure could excuse a dereliction of duty by the Committee.

6. The CHAIRMAN observed that the Committee had decided that the general debate had been closed.

7. Mr. PAVLOV (Union of Soviet Socialist Republics) said that the closure of the debate was irrelevant to the submission and introduction of amendments. Under rule 119, he was fully entitled to submit his amendment.

8. The standing of the joint procedural motion was in any case irregular. The Russian text had not been circulated. Furthermore, that proposal was highly inconsistent ; in it the sponsors stated that the Committee had not considered the substance of the Polish draft resolution, but was taking a decision, by implication, blindly. His amendment was designed to remedy that absurdity, particularly as the Committee was faced with the duty of saving twenty-four human lives.

9. The CHAIRMAN said that she must consult the Committee whether the USSR amendment was in order in view of the fact that the debate had been closed ; she thought it was not.

10. Mr. DAVIN (New Zealand) objected strongly to the introduction of the USSR amendment at that stage. It was an attempt to reopen the debate. The Chairman had discretion under rule 119 to rule it out of order. The Committee should vote immediately on the joint procedural motion.

* Indicates the item number on the General Assembly agenda.

11. Mr. KATZ-SUCHY (Poland) contended that there was no rule of procedure authorizing the Chairman to ask a Committee whether it would or would not discuss and vote upon an amendment. If that were permitted, it would set a dangerous precedent whereby a majority could at any time decide to refuse to discuss any proposal they disliked by upholding such a ruling from the Chair. Rule 119 dealt merely with the way in which proposals must be circulated and with the time limit therefor. The Committee had not set any time limit for the submission of amendments. Several committees had long made it their practice to take cognizance of amendments even after the voting on parts of a basic proposal had begun. The Chairman had not called for the vote when the Committee had taken cognizance of the USSR amendment. It was fully in order under rule 119.

12. The CHAIRMAN observed that the Polish representative had not taken into account the fact that the Committee had decided that the general debate was closed and that the vote should be taken immediately on the joint procedural motion. In her view, the Chairman could decide whether the USSR amendment was in order, but she would prefer the Committee to decide.

13. Mr. URQUIA (El Salvador) said that the raising of points of order was being abused in order to reopen the general debate. He must protest most strongly against such delaying tactics.

14. The USSR motion was not properly an amendment but a new proposal, dealing with the Committee's competence. Even if it was argued that the joint motion and the USSR proposal both dealt with the Committee's competence, rule 130 would apply, and the vote must therefore be taken first on the joint motion.

15. Mr. KATZ-SUCHY (Poland) asked under what rule of procedure the Chairman had taken the decision to consult the Committee whether an amendment was or was not in order. The Salvadorean representative's reference to delaying tactics was uncalled for; it was political in intention.

16. The CHAIRMAN thereupon ruled the USSR amendment out of order. Unless the Committee decided, under rule 122, to reconsider the decision taken at the previous meeting, she would put the joint procedural motion to the vote immediately. Her ruling could of course be challenged.

17. Mr. PAVLOV (Union of Soviet Socialist Republics) maintained that his amendment was in fact such, and not a new proposal. The Chairman should remember a recent precedent in the Third Committee (383rd meeting), when the Syrian delegation had been able to introduce an amendment (A/C.3/L.207/Rev. 3) after similar arguments had been advanced. Like the Syrian, the USSR amendment proposed the alteration of only part of the joint proposal; it was not a new proposal. The Chairman had no right to throw out an amendment which had been submitted properly; under rule 121 only the sponsor could withdraw an amendment once it was before the Committee. Furthermore, the vote on the USSR amendment must be

taken before the vote on the joint motion. The Committee had taken its decision at the previous meeting with regard to the immediate vote on the joint motion before it had had any knowledge of the USSR amendment. A new situation had arisen. Unless the Chairman wished to dictate to the Committee, it was for the Committee alone to accept or reject the USSR amendment by discussing it and voting on it.

18. The CHAIRMAN considered the USSR representative's remarks as tantamount to a challenge of her ruling. She said a vote had to be taken immediately under rule 112.

19. Mr. PAVLOV (Union of Soviet Socialist Republics) declined to see any basis in the rules of procedure for the Chairman's ruling and thus for any challenge. His amendment must be discussed and voted on. Rule 112 stated that the Chairman should decide on points of order in accordance with the rules of procedure; but under no existing rule could the Chairman prevent the vote on the USSR amendment.

20. The CHAIRMAN said that her ruling had been based upon rules 112 and 122.

21. Mr. BAROODY (Saudi Arabia) asked, in view of the complex procedural situation, for an impartial opinion by the Legal Department of the Secretariat concerning the legal position with regard to the admissibility of amendments.

22. Mr. STEINIG (Secretary of the Committee) indicated that the request for a legal opinion naturally depended in the first place on the decision with regard to the Chairman's ruling, since that called for an immediate vote on the joint procedural motion.

23. Mr. PAZHWAQ (Afghanistan) said that the sudden decision that the general debate should be closed had not allowed time even for the discussion of the draft resolution and procedural proposal nor for the submission of amendments. If the Chairman was contending that the USSR amendment had been submitted too late, he would like her to state at what stage she considered that the time limit had expired. The Committee had not set any time limit. Every delegation was entitled to submit amendments to any proposal provided they were received within the time limit.

24. Mr. KATZ-SUCHY (Poland) deemed the Secretariat's reply to the Saudi Arabian representative's request wholly unsatisfactory; it had tried to pass the responsibility to the Chairman.

25. The Chairman had misinterpreted the Brazilian motion for the closure of the debate adopted at the previous meeting, although she had properly applied rule 116 and had called for two speakers against the motion. Thereby the Chairman herself had made it clear that the vote had nothing to do with a decision to vote immediately on a proposal. If the Committee had wished to take the latter decision, it would have had to do so under rule 130, in accordance with which there was no limitation on the number of speakers.

26. The CHAIRMAN reminded the Polish representative that two votes had been taken at the previous

meeting. The motion for the closure of the debate had been adopted by 24 votes to 15, with 15 abstentions. She had then stated that the Committee would immediately vote on the joint procedural proposal. The Polish representative had objected, and his objection had been rejected by 30 votes to 2 with 14 abstentions. The Committee must vote immediately in accordance with its decision at the previous meeting unless there was a formal request under rule 122 for the reconsideration of the vote regarding the immediate vote on the joint procedural motion.

27. Mr. VALENZUELA (Chile) stated, in connexion with the ruling of the Chair on the receivability of the USSR amendment, that the Committee had to consider the fact that the debate had been closed and a decision to vote on the joint procedural motion had been taken before the amendment had been proposed. The USSR proposal could not, therefore, be regarded as an amendment, but rather as a point of order. Under rule 106 of the rules of procedure, the Chairman was entitled to rule on points of order. In connexion with the request for the Secretariat's opinion on the matter, he pointed out that it was for the Committee, and not for the Secretariat, to interpret the rules of procedure.

28. Mr. DAVIN (New Zealand) thought that the Chairman's ruling was borne out by rule 119, which gave the Chair discretion to permit or prevent the discussion and consideration of amendments that had not been circulated in time.

29. Mr. BELAUNDE (Peru) agreed with the representatives of Chile and New Zealand that the USSR proposal did not constitute an amendment. He regarded that proposal as a political manoeuvre to delay the debate.

30. Mr. KATZ-SUCHY (Poland) moved the adjournment of the debate. A legal question had been raised before the Committee and he thought it would be preferable, instead of creating the dangerous precedent of solving the problem by a ruling from the Chair, to adjourn the debate until the next meeting, to enable the Legal Department to study the matter and give a clear reply.

31. He disagreed with the representative of Chile with regard to the application of rule 106, since the functions of the Chairman were limited to points which were not covered by the rules of procedure; under rule 130, it was for the Committee, and not for the Chairman, to decide whether to vote on a proposal.

32. In reply to the New Zealand representative, he pointed out that rule 119 had always been applied liberally, even to the extent of adjourning debates until proposals could be distributed in writing.

33. The CHAIRMAN put to the vote the Polish motion for the adjournment of the debate.

The motion was rejected by 31 votes to 6, with 18 abstentions.

34. The CHAIRMAN pointed out that her ruling with regard to the USSR amendment stood unless it was formally challenged.

35. Mr. PAVLOV (Union of Soviet Socialist Republics) claimed that the Chairman was not competent to rule on the receivability of a proposal and asked for a vote on his amendment.

36. Mr. ROY (Haiti) pointed out that, under rule 112, the Chairman's ruling could only be challenged if there was a formal request to that effect.

37. Mr. PAVLOV (Union of Soviet Socialist Republics) stated that, if there were no alternative, he would challenge the Chairman's ruling.

38. Mr. AZKOUL (Lebanon) recalled that the Committee had decided to close the debate and pointed out that the submission of an amendment implied the reopening of that debate. The amendment was therefore out of order. By requesting that the question of the receivability of the amendment should be put to the vote, the USSR representative was inviting a reconsideration of the Committee's decision. Under rule 122, such a motion for reconsideration had to be adopted by a two-thirds majority before the USSR amendment could be considered in order. Unless the reconsideration was moved, the only alternative for the Chairman was to declare the amendment out of order.

39. The CHAIRMAN pointed out that she could only put a motion for reconsideration to the vote if it was moved formally.

40. Mr. KATZ-SUCHY (Poland) asked whether the provisions of rule 119 had been applied fully in the case of the joint procedural motion.

41. The CHAIRMAN replied that the document concerned (A/C.3/L.220) was dated 16 January and had been distributed in four official languages on that date.

42. Mr. KATZ-SUCHY (Poland) said that although his delegation had not received the document until that morning, he would not insist on the application of rule 119, because he did not consider that it should take twenty-four hours to understand the implications of the motion.

43. Mr. PAZHAWAK (Afghanistan) asked that the vote on the joint procedural motion be taken in parts. He proposed that the phrase in the second paragraph beginning with the words "without considering" and ending with the symbol number "(A/C.3/L.203/Rev.1)" should be voted on first; then a vote should be taken on the first part of the paragraph as far as the words "measures of implementation"; the third vote should be taken on the remainder of the first sentence, and the fourth vote on the last sentence of the paragraph.

44. Mr. KATZ-SUCHY (Poland) asked for a roll-call vote on the motion as a whole, in view of the fundamental humanitarian aspects of the problem and of the serious responsibility for human lives that it involved.

45. In reply to Mr. DEDIJER (Yugoslavia) and Mr. ROY (Haiti), the CHAIRMAN stated that explanations of votes could be given before the vote was taken. She fixed a ten-minute time limit for such explanations.

nations and ruled that the sponsors of the motion should not explain their votes.

46. Mr. DEDIJER (Yugoslavia) said that his delegation would vote against the joint procedural motion (A/C.3/L.220). There was no valid procedural reason why the Third Committee should not examine the Polish draft resolution (A/C.3/L.203/Rev.1), which came within chapter V of the Economic and Social Council's report (A/1884), one of the items on its agenda. He stressed further that the lives of several human beings were in danger for the simple reason that they had raised their voices in defence of the most basic of human rights, the right to bare existence. The Labour and Socialist International had also taken up the case of the Barcelona strike victims, and on 22 November 1951 had addressed a message to the Secretary-General of the United Nations.

47. It was regrettable that the United Nations Secretariat had not been permitted to provide the information for which the Third Committee had asked, especially since the Spanish Embassy in Paris had supplied full details of the official Spanish view of the matter. He feared that refusal by the Third Committee to take any action would be interpreted as an encouragement to Franco. It was undoubtedly a fact that certain delegations had attempted to use the question under consideration to serve their own manoeuvres. Human lives were at stake, however, and he strongly urged the Third Committee to uphold the Polish protest.

48. Mr. ROY (Haiti) also deplored the fact that the Third Committee had been provided with detailed information about one side of the case only. He pointed out that to adopt the joint procedural motion (A/C.3/L.220) at that stage would amount to reversing the decision taken by the Third Committee at the 387th meeting at the suggestion of the Mexican representative, to postpone action until the Secretariat had provided further details. He quoted other previous similar motions adopted by the Committee, including the Uruguayan motion of sympathy to victims of the flood in Italy (A/C.3/L.156) (350th meeting), to show that there was no question of the Polish draft resolution setting a dangerous precedent.

49. Mr. KATZ-SUCHY (Poland) said that, since his draft resolution calling on the President of the General Assembly to take steps in defence of the Barcelona strike victims was completely unpolitical, he had counted on the Third Committee's support; instead of which the United States delegation was attempting to adduce procedural pretexts to dismiss it without even taking a vote.

50. The joint procedural motion submitted by the United States and other delegations (A/C.3/L.220), which tacitly condoned murder and persecution in Franco Spain would, if adopted, be a shameful blot on the record of the United Nations, and a clear indication of the fact that the United States of America, far from fulfilling the late President Roosevelt's pledge to help the Spanish people to regain their freedom, was, as the price for military bases in Spain, openly supporting the Franco regime.

51. The Third Committee could not refuse to support one of the basic principles of the United Nations Charter. Since the joint procedural motion was in reality not a procedural motion but an attempt to cloak the political issue involved, the Polish representative asked that the vote be taken by roll-call.

52. Mr. DE ALBA (Mexico) hoped that the Third Committee would not, simply because the draft resolution calling for steps to protect the Barcelona strike victims had been submitted by Poland, lose sight of the fact that it was essentially humanitarian, and not a political matter. Unfortunately the Secretariat had not provided the information for which his delegation had asked at the 387th meeting; but there were enough reports through Spaniards living outside Spain to give an idea of conditions prevailing there; the lack of any reassurances from governments having diplomatic relations with Franco Spain was disturbing.

53. It was untrue to say that adoption of the Polish draft resolution would set a dangerous precedent. Both governments and private persons had, throughout the ages, invariably extended sympathy and help to victims of political persecution; and no objections on procedural grounds had been raised against the United Nations resolution on behalf of political prisoners in Greece in 1949 (General Assembly resolution 288 C (IV)), or victims of the floods in Italy in the current session. The issue raised by the Polish draft resolution was purely humanitarian, and it was clearly the duty of the Third Committee to support it.

54. Mr. GARIBALDI (Uruguay) said that his delegation would oppose the joint procedural motion on purely procedural grounds; he thought that all questions affecting human rights came within the Third Committee's competence. His delegation would not necessarily, however, vote for the Polish draft resolution as it stood.

55. Mr. YU TSUNE-CHI (China) said that, if the joint motion submitted by the United States and other delegations had really been simply a procedural motion, as it was alleged to be, his delegation would have voted against it, since it constituted an attempt by the Committee to reverse, without the prescribed two-thirds majority, a decision taken at the 387th meeting on a Mexican motion. On a previous occasion the Committee had not thought that it was outside its competence to extend a vote of sympathy to victims of the floods in Northern Italy. Consequently, such an interpretation to narrow the scope of the Committee's competence would handicap its activities.

56. Although the Chinese delegation was unconvinced of the procedural regularity of the joint motion of the United States and other delegations, it thought the text had a highly political import, involving considerations of substance; it was necessary to prevent the United Nations from being used as an instrument for the propaganda of the subversive forces against which China, like Spain, was fighting. Furthermore, the information the Chinese delegation had received indicated the obvious inaccuracy of facts such as those alleged in the Polish draft resolution. China would therefore vote for the joint procedural motion submitted by the

United States and other delegations because of its important implications involving highly political questions of substance, and wished to express unqualified sympathy for Spain in its efforts to check subversive communist activities.

57. Mr. PAZHWAQ (Afghanistan) stated that he would abstain from voting on the joint procedural motion for five reasons. The question had not been dealt with from the point of view of substance; the sponsors of the motion approached the matter from a purely political angle; the legitimacy of the procedure used was open to doubt; no substantive information had been made available to the Committee; and many questions that had been asked during the discussion had remained unanswered.

58. Mr. NAJAR (Israel) recalled that his delegation had expressed its views concerning the procedure that was being followed by the negative votes it had cast at the preceding meeting.

59. He would vote against the joint procedural motion, as an appeal to all States to take humanitarian and lenient action with regard to any persons under their authority who were accused of political or social crimes or offences and, in particular, not to pass death sentences on such accused persons. The Israel delegation ascribed that humanitarian and non-political purpose to the Polish draft resolution (A/C.3/L.203/Rev. 1), which should be considered in a spirit of understanding.

60. Mr. GARCIA BAUER (Guatemala) stated that he would vote against the joint procedural motion in view of the fact that it overlooked precedents that had been created by the General Assembly with regard to urgent humanitarian problems and quoted in that connexion the spontaneous adoption by the Third Committee of the Uruguayan draft resolution (A/C.3/L.156) on assistance to the victims of floods in Italy. There could be no doubt that the problem under discussion raised fundamental humanitarian issues, since it had been generally acknowledged, even by the Franco Government itself, that the strike which had begun at Barcelona could not be regarded as a communist plot, but only as a spontaneous protest against the rising cost of living and bad living conditions.

61. Moreover, the Third Committee had not been given the relevant information requested under the Mexican proposal; that proposal had been adopted by the Committee, and could only be reversed by a two-thirds majority. The sanctioning of such procedural measures would create a dangerous precedent in the annals of the United Nations, especially in connexion with such a vitally important subject as that of human rights.

62. Mr. HAJEK (Czechoslovakia) agreed with the substance of the Polish draft resolution and considered that it fell within the scope of agenda item 29, since the defence of lives constituted an integral part of the struggle for the observance of human rights. Moreover, the receivability of the Polish proposal had been accepted tacitly by reason of the fact that the Committee had discussed it when it had been submitted and by reason

of the adoption of the Mexican proposal to obtain more information on the subject.

63. The precedent created by the adoption of the Uruguayan resolution on the victims of the Italian floods imposed on the United Nations the sacred duty of taking similar steps to save persons whose lives were directly threatened because of their courage in defending human rights in their own country. It was impossible to evade such a responsibility on formalistic grounds. The procedural motion represented a dilatory manœuvre to camouflage the crimes of the Franco regime and the violation of human rights in Spain. The excuse that time was being saved was invalid, since a vote on the Polish draft resolution would have settled the matter much sooner. The real reason for the submission of the motion was the wish of certain States, headed by the United States of America to protect the Franco regime, to help to consolidate its hold over the Spanish people and to turn Spain into a spring-board for aggression.

64. He would therefore vote against the procedural motion and stated that the roll-call vote would reveal the supporters of the Franco regime.

65. Mr. ALBORNOZ (Ecuador) recalled that when he had voted for the Mexican proposal he had clarified his delegation's position on the matter. He had not objected to the provision of additional information and considered that enough such data had been given. The Third Committee had made an adequate humanitarian gesture.

66. He did not think that the Committee was deciding on its competence to discuss the substance of the matter but rather on the question whether the Polish draft resolution did or did not fall within the scope of agenda item 29. It was for the General Committee to decide whether the Third Committee or any other body should deal with the question, and the Polish delegation was perfectly free to propose the inclusion of a supplementary agenda item.

67. In view of those considerations, he would vote for the joint procedural motion.

68. Miss BERNARDINO (Dominican Republic) would support the joint procedural motion because it embodied the correct procedure to be used. As the United States delegation had pointed out, the Polish draft resolution could not be considered under the item dealing with the draft international covenant on human rights. That draft resolution was a wrong interpretation of the basic Articles of the Charter and the general principles of international law. The joint motion provided a more correct alternative procedure.

69. Mr. CASSIN (France) was fully convinced of the humanitarian purpose of the United Nations; appropriate organs for the practical protection of human rights would undoubtedly be created in the future. France had always taken action to save human lives, particularly those of working men. In order, however, to obtain remedy in any country for the violation of human rights, the General Assembly must act in conformity with its own law. Any delegation which wished

to raise any specific case had the proper procedure available to it. Thus, whatever its sympathy, the French delegation must abstain on the question of the admissibility of the Polish draft resolution.

70. Mr. PAVLOV (Union of Soviet Socialist Republics) observed that the core of the joint proposal was the inconsistent statement that the Third Committee had not decided upon the substance of the Polish draft resolution but had nevertheless decided that it could not be considered under item 29 of the agenda. It was not true that it could not be taken up under that item, which dealt with the pertinent part of the report of the Economic and Social Council and, not merely with the draft international covenant. Furthermore it could not be argued that the Polish draft resolution had nothing to do with human rights. The United Kingdom representative had challenged the Third Committee to implement human rights, not merely talk about them in general. The case under discussion would be an excellent opportunity for such action. The Polish draft resolution was humanitarian in purpose and could have been discussed in the same way as the Urugayan resolution (A/C.3/L.156) concerning the flood victims in Italy. Against the latter resolution not a single procedural objection had been raised by those delegations which were objecting in the case currently under discussion; that attitude contrasted with the reaction to the Polish delegation's effort to save human lives at the eleventh hour. Moreover, the case under discussion came under the provision of the Universal Declaration of Human Rights in which it was laid down that everyone had the right to a fair and public hearing. That right had been grossly violated in Franco Spain. Spontaneous protests against the Barcelona arrests had been received from all over the world. There was no need to be a communist to defend the twenty-four persons in danger in Barcelona; their plight was of concern to all honest and sincere liberals. His delegation had expected that the Third Committee would feel in honour bound to vote unanimously to save human lives; yet political motives had prevailed and the issue had been distorted by procedural manœuvres which recalled the policy of non-intervention in the Spanish war adopted by the League of Nations.

71. The Polish draft resolution did not imply any interference in the domestic affairs of Spain. It did not ask the General Assembly to intervene, but merely requested its President to find ways and means of using his influence.

72. Procedural moves had prevented a vote on the USSR amendment which would have allowed the delegations to make their position clear. The members of the Third Committee should therefore, like his own delegation, vote against the joint procedural motion and in favour of the Polish draft resolution.

73. Mr. AZKOUL (Lebanon) said that, as regards the procedural issue, he was not certain that the subject of the Polish draft resolution was outside the scope of item 29 of the General Assembly's agenda. At the same time, he was not convinced, from the information available, that the twenty-four Spaniards had not been arrested merely because of their participation in the

strikes, or that they were in danger of a sentence of death.

74. The Lebanese delegation would therefore abstain from voting on the joint procedural motion. Mr. Azkoul pointed out, in conclusion, that, even if it were adopted, the Polish delegation would still be able to raise the question as an item on the agenda of the current session of the General Assembly.

75. Mr. DEMCHENKO (Ukrainian Soviet Socialist Republic) said that it was the clear duty of the Third Committee to adopt the Polish draft resolution, which was based on purely humanitarian considerations, especially as similar motions had been adopted without dispute in the past. The opponents of that motion appeared to forget that what was involved was a violation of one of the basic human rights — the right to strike.

76. The joint procedural motion, which was exclusively political in character, was designed to bolster up the fascist regime in Spain. The Ukrainian delegation would vote against it.

77. Mr. SMITT INGEBRETSEN (Norway) would support the joint procedural motion on purely procedural grounds: the question raised in the Polish draft resolution was clearly outside the scope of the Third Committee's agenda, and it was vital that United Nations rules of procedure should be observed.

78. Nevertheless, his country was gravely concerned about tyranny and the violation of human rights, and would take no stand on the merits of the Barcelona case. It was possible that, when a full study had been made, individual members of the Norwegian delegation would subscribe to the Polish draft resolution.

79. Mrs. BEGTRUP (Denmark) fully endorsed the remarks of the Norwegian representative, and would vote for the joint procedural motion on procedural grounds.

80. The United Nations must not be turned into a forum for propaganda motions such as that submitted by the Polish delegation; but if the plight of the twenty-four inhabitants of Barcelona was really desperate, there were ways of helping them. The Danish delegation was glad that the United Nations was working for a world in which a United Nations attorney-general for human rights could deal with such matters.

81. For those reasons, her delegation would vote for the joint procedural motion.

82. Mr. URQUIA (El Salvador) said that his delegation would vote for the joint procedural motion on purely procedural grounds. The Polish draft resolution was entirely out of order. Though it was true that the Committee had adopted a motion of sympathy for the Italian flood victims, that could not be invoked as a precedent for disregarding the rules of procedure and overstepping the jurisdiction of the Committee.

83. Mr. DAZA ONDARZA (Bolivia) did not consider that the Third Committee was competent to deal with the substance of the question; moreover, action such as that proposed in the Polish draft resolution would

represent interference in the internal affairs of a State. He alluded, in that connexion, to the discussions in the First Committee during the third session of the General Assembly on the question of condemned Greek trade-union leaders.¹ In his opinion, it was clear from the available data that the twenty-four inhabitants of Barcelona were no longer threatened with death.

84. He would vote for the procedural motion.

85. Mr. KUSOV (Byelorussian Soviet Socialist Republic) regarded the procedural motion as an attempt to support the terrorist regime in Spain and at all costs to prevent the Third Committee from saving democrats who had made a stand against the subjection and terrorization of the Spanish people. The purpose of the manoeuvre was to prevent the discussion of and a vote on the Polish proposal by asserting that that proposal did not fall within the scope of the consideration of the draft covenant on human rights. Nevertheless, the right to strike, which the Barcelona prisoners had claimed, was being proposed as an integral part of the draft covenant.

86. It had been stated in the French Press that the condemned persons would be put to death at the end of the current month; in the meantime, attempts to save them were being thwarted by procedural motions and by the withholding of information that had been requested by the Third Committee. The underlying purpose of those machinations was to provide support for the Franco régime, in contravention of the provisions on human rights in the United Nations Charter. The vote would show which members favoured the Franco régime.

87. The Byelorussian delegation would vote against the joint procedural motion.

88. Mr. REYES (Philippines) was convinced that the course proposed in the joint procedural motion was the correct method of dealing with the problem. However, he would vote for it and by implication against the Polish draft resolution on other than procedural grounds. Whatever humanitarian merit the Polish draft resolution might have had was vitiated by the fact that it had been exploited for propaganda purposes.

89. He repudiated the insinuation that a vote against the Polish draft resolution was a vote for fascism. His delegation would regard it rather as a vote against the misuse of humanitarian problems for purposes of political propaganda in the United Nations.

90. Mrs. DE RIEMAECKER (Belgium) explained that she would vote for the joint procedural motion.

91. The Polish draft resolution was unacceptable. She agreed with the Lebanese representative that the joint motion would leave the Polish delegation free to ask the General Committee to transmit its draft resolution to the competent committee, not necessarily the Third Committee.

92. The CHAIRMAN called for the vote on the joint procedural motion (A/C.3/L.220) by parts, as requested by the Afghan representative. The vote on the motion as a whole would be taken by roll-call, as requested by the Polish representative.

93. She put to the vote the first phrase, reading: "without considering the substance of the draft resolution submitted by the delegation of Poland (A/C.3/L.203/Rev.1)".

That phrase was adopted by 29 votes to 13, with 12 abstentions.

94. The CHAIRMAN put to the vote the first part of the paragraph, from the words "The Rapporteur shall include..." to the words "measures of implementation".

That part was adopted by 29 votes to 14, with 10 abstentions.

95. The CHAIRMAN put to the vote the rest of the sentence beginning with the words "and that the Committee..." and ending with the words "its own initiative".

That part was adopted by 29 votes to 13, with 11 abstentions.

96. The CHAIRMAN put to the vote the final sentence.

That sentence was adopted by 29 votes to 13, with 12 abstentions.

97. The CHAIRMAN called for a vote, by roll-call, on the joint procedural motion submitted by Brazil, Colombia, Costa Rica, Honduras, the Netherlands, New Zealand, Nicaragua, Peru, the United Kingdom, the United States of America and Venezuela (A/C.3/L.220), as a whole.

A vote was taken by roll-call.

Lebanon, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Philippines, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Argentina, Australia, Belgium, Bolivia, Brazil, Canada, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Greece, Honduras, Iceland.

Against: Mexico, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yugoslavia, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Guatemala, Haiti, Indonesia, Israel.

Abstaining: Lebanon, Liberia, Saudi Arabia, Syria, Yemen, Afghanistan, Burma, Chile, Egypt, France, India, Iran, Iraq.

The joint procedural motion (A/C.3/L.220), as a whole, was adopted by 28 votes to 13, with 13 abstentions.

The meeting rose at 7.15 p. m.

¹ See *Official Records of the General Assembly, Third Session, Part I, First Committee, 186th, 187th and 193rd meetings.*