63. Mrs. ROOSEVELT (United States of America) proposed, as a compromise, the wording : "one or both international covenants".

64. Mr. PAZHWAK (Afghanistan) firmly believed that the right to self-determination should be included in both covenants. At first sight, the United States wording did not appear to differ very greatly from his own, but the Committee needed time for reflection. He appreciated the United States representative's attempts to find a compromise formula.

65. He asked that the vote should be taken by roll-call on the joint Byelorussian and USSR amendment (A/C.3/L.225), the United States amendment (A/C.3/L.224), the USSR amendment (A/C.3/L.216), the Iraqi amendment (A/C.3/L.217/Rev.1), the United States amendment (A/C.3/L.209), the USSR amendment (A/C.3/L.206) and on the joint draft resolution (A/C.3/L.186 and Add.1) as a whole.

66. Mr. PAVLOV (Union of Soviet Socialist Republics) observed that the form of words suggested by the United States representative prejudged the General Assembly's decision even more than that suggested by the Afghan representative. It might be that the two representatives could agree on a compromise text. In any case, such a text, involving as it did a matter of principle, ought to be duly circulated in the official languages.

67. Accordingly, he moved the adjournment of the meeting.

The motion was adopted by 18 votes to 9, with 19 abstentions.

The meeting rose at 6.40 p.m.

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United Nations

GENERAL ASSEMBLY

SIXTH SESSION

Official Records

THIRD COMMITTEE **403rd** *MEETING*

Friday, 25 January 1952, at 3 p.m

Palais de Chaillot, Paris

CONTENTS

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.186 and Add.1) *(continued)*

[Item 29]*

JOINT DRAFT RESOLUTION SUBMITTED BY AFGHANISTAN, BURMA, EGYPT, INDIA, INDONESIA, IRAN, IRAQ, LEBANON, PAKISTAN, THE PHILIPPINES, SAUDI ARABIA, SYRIA AND YEMEN (A/C.3/L.186) and Add.1) *(concluded)*

1. The CHAIRMAN announced that she would put to the vote the joint draft resolution submitted by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Lebanon, Pakistan, The Philippines, Saudi Arabia, Syria and Yemen (A/C.3/L.186 and Add. 1), and the relevant amendments.

2. Mrs. ROOSEVELT (United States of America) said her delegation had accepted the Afghan amendment (A/C.3/L.209/Rev.1) to the United States amendment (A/C.3/L.204/Rev.1) on the understanding that the words "in the international covenant or covenants" would leave the Commission on Human Rights free to recommend the inclusion of an article in one or in both covenants. She asked that her statement should be included in the record.

3. Mr. PAZHWAK (Afghanistan) replied that his interpretation was not very different, but that, in his view, the question remained open not only in respect of the inclusion of the article in a single covenant or in two covenants but also in respect of the recommendations to be addressed to the Commission on Human Rights.

4. The CHAIRMAN put to the vote the joint amendment submitted by the Byelorussian SSR and the USSR (A/C.3/L.225). The representative of Afghanistan had requested (402nd meeting) that the vote be taken by roll-call.

A vote was taken by roll-call.

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

In favour : Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Afghanistan, Burma, Byelorussian Soviet Socialist Republic, Chile, Colombia, Czechoslovakia, Egypt, Ethiopia, Greece, Guatemala, India, Indonesia, Iraq, Lebanon.

Against : Netherlands, Norway, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Canada, China, Denmark, France.

Abstaining : Sweden, Thailand, Uruguay, Venezuela, Argentina, Brazil, Cuba, Dominican Republic, Israel.

The amendment was adopted by 24 votes to 11, with 9 abstentions.

5. The CHAIRMAN put to the vote the United States amendment (A/C.3/L.224) as amended by the joint amendment of the Byelorussian SSR and the USSR (A/C.3/L.225). The representative of Afghanistan had requested (402nd meeting) that the vote be taken by roll-call.

A vote was taken by roll-call.

The Union of Soviet Socialist Republics, having been drawn by lot by the Chairman, was called upon to vote first.

In favour : United States of America, Uruguay, Yugoslavia, Argentina, Brazil, Canada, Chile, China, Cuba, Denmark, Dominican Republic, France, Greece, Guatemala, India, Lebanon, Mexico, Nicaragua, Norway, Philippines, Thailand.

Against : Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Aus-

* Indicates the item number on the General Assembly agenda.

tralia, Belgium, Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Turkey, Ukrainian Soviet Socialist Republic.

Abstaining : Venezuela, Yemen, Afghanistan, Burma, Colombia, Egypt, Ethiopia, Indonesia, Iran, Iraq, Israel, Liberia, Netherlands, Pakistan, Saudi Arabia, Sweden, Syria.

The amendment was adopted by 21 votes to 9, with 17 abstentions.

6. Mr. PAVLOV (Union of Soviet Socialist Republics) asked that a separate vote should be taken on point 1 of the USSR amendment (A/C.3/L.216). He also asked for a separate vote on the words "the international covenant" and the words "or covenants" in the Afghan amendment (A/C.3/L.209/Rev.1).

7. The CHAIRMAN put to the vote point 1 of the USSR amendment (A/C.3/L.216).

Point 1 of the amendment was adopted by 29 votes to 3, with 13 abstentions.

8. The CHAIRMAN put to the vote point 2 of the USSR amendment (A/C.3/L.216) as modified by the United States (A/C.3/L.224) and the joint Byelorussian and USSR (A/C.3/L.225) amendments.

Point 2 of the amendment, as amended, was adopted by 25 votes to 12, with 10 abstentions.

9. Mr. PAZHWAK (Afghanistan) asked the Chairman to confirm that the Committee would be invited to vote on the operative part of the joint draft resolution whatever happened to the Iraqi amendment (A/C.3/L.217/Rev.1), the text of which was identical.

10. The CHAIRMAN replied that that was the case. She put the Iraqi amendment (A/C.3/L.217/Rev.1) to the vote.

A vote was taken by roll-call.

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

In favour : Czechoslovakia, Egypt, Ethiopia, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Burma, Byelorussian Soviet Socialist Republic.

Against : China, Denmark, France, Netherlands, New Zealand, Norway, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Australia, Belgium, Canada.

Abstaining : Chile, Colombia, Cuba, Dominican Republic, Ecuador, Greece, Guatemala, Haiti, Israel, Nicaragua, Peru, Sweden, Argentina, Brazil.

The amendment was adopted by 23 votes to 14, with 14 abstentions.

11. The CHAIRMAN read the Afghanistan amendment (A/C.3/L.209/Rev.1) as modified by the various amendments that had been adopted.

12. Mr. GARCIA BAUER (Guatemala) observed that the Committee had just adopted the text of the article in question. He wondered how a second vote could be taken on a text that had already been adopted, and remarked that the Commission on Human Rights would find itself in an extremely embarrassing position.

13. Mr. BAROODY (Saudi Arabia) did not see any difficulty in that connexion. The text which the Committee had just adopted was the essential element in the article envisaged, but nothing would prevent the Commission on Human Rights from developing and supplementing it.

14. Mr. PAZHWAK (Afghanistan) said he shared the opinion of the representative of Saudi Arabia and remarked that the Iraqi amendment used the words "drafted in the following terms", whereas the joint draft resolution had said "*Decides* to include the following article". The Commission on Human Rights was therefore left a certain amount of latitude.

15. Mrs. ROOSEVELT (United States of America) expressed the view that the Commission on Human Rights would find itself in an absurd position, for it would be called upon to draft an article the wording of which had already been established. If in fact the resolution adopted said "drafted in the following terms", she did not see how the Commission on Human Rights could help keeping to the words provided. It would be useful if the representative of Iraq would give her interpretation.

16. Mrs. AFNAN (Iraq) replied that the authors of the joint draft resolution had not had two separate covenants in mind when they drafted their text. Moreover, the Iraqi amendment did not modify the text submitted by Afghanistan : it merely added to it. The text proposed for the article was taken directly from the Charter. There was nothing to prevent its being suitably supplemented in each of the two covenants.

17. Mr. BAROODY (Saudi Arabia) said that to him the situation seemed very simple and it was enough to regard it, so to say, in terms of algebra, without dealing with the substance of the texts on which the Committee was voting. Let x equal the Iraqi amendment, that was to say a constant, and y the other amendments, that was to say a variable subject to modification by a, or the instructions given to the Commission on Human Rights, and b, or the results of the work of the Commission on Human Rights, which would be submitted for the approval of the General Assembly at its seventh session. Then $y=a+b$ *and* $x+y=z$, z being the article in its final form, subject to the Third Committee's approval.

18. The CHAIRMAN said that no amount of discussion could change the situation and that the only solution was to go on voting. Incidentally, the Committee might return to the question when voting on the draft resolution as a whole.

19. Mr. GARCIA BAUER (Guatemala) replied that it would then be too late because delegations would be obliged either to vote for a draft resolution with an unsatisfactory text or to vote against it for that very reason. The interpretation put forward by the representatives of Afghanistan and Saudi Arabia appeared

to be satisfactory, but the Third Committee would have to give its opinion.

20. The CHAIRMAN said that no committee had ever voted on the interpretation of a text before voting on the text itself.

21. Mr. GARCIA BAUER (Guatemala) replied that if there was no precedent, it was perhaps time that one was established. It was in any case only a suggestion.

22. Mr. NAJAR (Israel) agreed with the representative of Guatemala. The position of the various amendments with relation to one another was not clear.

23. Mr. D'SOUZA (India) thought there would be no real difficulty for the Commission on Human Rights as the members of that body also sat on the Third Committee and would therefore know the interpretation which had been given. They would also be able to find it in the summary records of the debates and the Third Committee's report to the General Assembly.

24. The CHAIRMAN put to the vote the first phrase of the Afghan amendment (A/C.3/L.209/Rev.1): "Decides to include in the international covenant."

That phrase was adopted by 30 votes to 10, with 11 abstentions.

25. The CHAIRMAN put to the vote the second phrase of the Afghan amendment (A/C.3/L.209/Rev.1): " or covenants on human rights ".

That phrase was adopted by 23 votes to 9, with 15 abstentions.

26. The CHAIRMAN put to the vote the last phrase of the Afghan amendment (A/C.3/L.209/Rev.1), as amended by the USSR amendment (A/C.3/L.216), from the words " an article ".

The last part of the amendment, as amended, was adopted by 31 votes to 9, with 11 abstentions.

27. The CHAIRMAN put to the vote, by roll-call, the Afghan amendment (A/C.3/L.209/Rev.1), as amended, as a whole.

A vote was taken by roll-call.

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

In favour : Mexico, Nicaragua, Norway, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Egypt, Ethiopia, Greece, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia.

Against : Netherlands, New Zealand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Canada, France.

Abstaining : Peru, Sweden, Thailand, China, Ecuador, Guatemala, Israel.

The amendment, as a whole, as amended, was adopted by 35 votes to 9, with 7 abstentions.

28. Mr. MUFTI (Syria) asked that the vote be taken by roll-call on the amendment submitted by his delegation (A/C.3/L.221).

29. The CHAIRMAN put to the vote the Syrian amendment (A/C.3/L.221).

A vote was taken by roll-call.

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

In favour : Yemen, Yugoslavia, Afghanistan, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Egypt, Ethiopia, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against : Australia, Belgium, Canada, Chile, China, Cuba, Denmark, France, Greece, Netherlands, New Zealand, Norway, Peru, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining : Uruguay, Venezuela, Argentina, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Haiti, India, Israel, Nicaragua, Philippines, Thailand, Turkey.

The amendment was adopted by 20 votes to 16, with 15 abstentions.

30. Mr. ACRITAS (Greece) asked for a roll-call vote on his delegation's amendment (A/C.3/L.205/Rev. 1), as amended by the Syrian amendment (A/C.3/L.221).

31. Mr. MUFTI (Syria) requested that a separate vote should be taken on the word "international" in the first part of the Greek amendment.

32. Mr. GARIBALDI (Uruguay) requested that the original Greek amendment, and the addition introduced by the Syrian amendment, should be voted on separately.

33. The CHAIRMAN pointed out that the Syrian amendment had already been adopted.

34. Mr. PAZHWAK (Afghanistan) requested that the first part of the amendment, as far as the words "self-determination of peoples", and the second part, from the words "and to submit", should be voted upon separately.

35. The CHAIRMAN put to the vote the word "international" concerning which the representative of Syria had requested a separate vote.

The word was adopted by 27 votes to 5, with 17 abstentions.

36. The CHAIRMAN put to the vote the first part of the Greek amendment (A/C.3/L.205/Rev. 1), as far as the words "self-determination of peoples".

The first part of the amendment was adopted by 38 votes to 3, with 10 abstentions.

37. The CHAIRMAN put to the vote the second part of the Greek amendment (A/C.3/L.205/Rev. 1), from the words "and to submit".

The second part of the amendment was adopted by 39 votes to 2, with 9 abstentions.

38. The CHAIRMAN put to the vote the Greek amendment (A/C.3/L.205/Rev. 1), as a whole.

The amendment, as a whole, was adopted by 39 votes to 3, with 9 abstentions.

39. The CHAIRMAN put to the vote the Greek amendment (A/C.3/L.205/Rev. 1), as modified by the Syrian amendment (A/C.3/L.221).

A vote was taken by roll-call.

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

In favour: Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Egypt, Ethiopia, Greece, Guatemala, Haiti, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan.

Against: Canada, Denmark, France, Netherlands, New Zealand, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium.

Abstaining: Brazil, Chile, China, Colombia, Cuba, Dominican Republic, Ecuador, India, Israel, Nicaragua, Peru, Sweden, Thailand, Turkey, Uruguay, Venezuela, Argentina.

The amendment was adopted by 24 votes to 10, with 17 abstentions.

40. The CHAIRMAN thought that there was no need to vote on the amendments contained in documents A/C.3/L.222 and A/C.3/L.206, which would be automatically superseded as a result of the Committee's adoption of the amendments contained in documents A/C.3/L.224 and A/C.3/L.225.

41. She invited the Committee to proceed to a vote on the joint draft resolution (A/C.3/L.186 and Add. 1).

42. Mr. GARCIA BAUER (Guatemala) recalled that he supported the principle of the right of peoples to self-determination and that he would gladly vote for the joint draft resolution. But the amendments adopted by the Committee had obscured the issue. He therefore proposed that the vote should be postponed until the Secretariat had circulated the text of the draft resolution as amended.

43. Mr. MUFTI (Syria) did not think that the text contained any glaring discrepancies and saw no reason to postpone the vote.

44. Mrs. ROOSEVELT (United States of America) supported the Guatemalan representative's suggestion. In its amended form the text was very confused and it would be better to see it in writing before a vote was taken. The Committee could deal with other draft resolutions and vote the following day.

45. Mr. PAZHWAK (Afghanistan) was gratified by the Guatemalan representative's concern for clarity. The texts in question, however, had been distributed to the Committee some time before and it would doubtless be enough if the Secretary read the amended text of the draft as a whole. He accordingly requested the Guatemalan representative to withdraw his proposal.

46. Mr. Altaf HUSAIN (Pakistan) understood the Guatemalan representative's scruples, but thought that the Committee should proceed to a vote, since the text of the draft resolution as it stood appeared to contain no incongruities. Even if the drafting was obviously not homogeneous, it would surely not confuse the Commission on Human Rights.

47. Mr. PAVLOV (Union of Soviet Socialist Republics) reminded the Committee that under rule 127 of the rules of procedure voting could not be interrupted once it had begun.

48. The CHAIRMAN thought that the Guatemalan representative's proposal was perfectly admissible, since it was designed to modify voting procedure.

49. Mr. BAROODY (Saudi Arabia) stressed the need to vote on the text before the following day, lest those not in favour of it might take advantage of the delay to sabotage it.

50. Mrs. ROOSEVELT (United States of America) wanted to know if the Secretariat could circulate the text to the Committee in the course of the meeting or during the evening, so that the vote could be taken that day. In any case, she thought it quite essential for the Committee to see the text as a whole before voting.

51. The CHAIRMAN announced that the text would be ready by 8.30 p.m., in time for the night meeting.

52. Mr. PAVLOV (Union of Soviet Socialist Republics) thought that the Committee could vote on the preamble to the joint draft resolution (A/C.3/L.186 and Add. 1), which was familiar to everybody since the document had been in the hands of Committee members since 7 December 1951 ; the Secretariat could then read the operative part, with the amendments incorporated.

53. Mr. GARCIA BAUER (Guatemala) announced that in view of the representations made by Afghanistan and Saudi Arabia, he would withdraw his proposal and support the United States suggestion.

54. The CHAIRMAN pointed out that that proposal was equivalent to a postponement of the vote until the night meeting and put it to the vote.

The proposal was rejected by 20 votes to 20, with 10 abstentions.

55. Mr. CASSIN (France) asked that a vote should be taken on the preamble to the joint draft resolution (A/C.3/L.186 and Add. 1) paragraph by paragraph.

56. The CHAIRMAN put to the vote successively the three paragraphs of the preamble of the joint draft resolution (A/C.3/L.186 and Add. 1).

The first paragraph was adopted by 30 votes to none, with 19 abstentions.

The second paragraph was adopted by 37 votes to none, with 13 abstentions.

The third paragraph was adopted by 42 votes to none, with 9 abstentions.

57. The CHAIRMAN read out the operative part, as amended.

58. She put to the vote the joint draft resolution (A/C.3/L.186 and Add. 1), as a whole, as amended.

A vote was taken by roll-call.

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

In favour: Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Dominican Republic, Egypt, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: Australia, Belgium, Canada, France, Netherlands, New Zealand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Chile, China, Colombia, Cuba, Denmark, Ecuador, Israel, Norway, Peru, Sweden.

The draft resolution as a whole, as amended, was approved by 33 votes to 9, with 10 abstentions.

59. Mr. GARCIA BAUER (Guatemala) explained that his delegation had voted for the joint draft resolution on the understanding that the interpretation to be given to the Iraqi amendment, as incorporated in the draft resolution, was to be that given by the representatives of Afghanistan and Saudi Arabia.

60. Mr. AZKOUL (Lebanon), Rapporteur, acknowledged that the various amendments superposed on the text had made it rather incoherent. For example, the Committee had adopted the United States amendment (A/C.3/L.224) and the USSR amendment (A/C.3/L.225), which to some extent overlapped, and had also adopted the Iraqi amendment (A/C.3/L.217/Rev. 1) and other amendments on the article to be drafted which were difficult to reconcile.

61. In order to rectify that state of affairs, Mr. Azkoul suggested that the drafting committee which would probably have to meet to reconcile the various draft resolutions should revise the text of the joint draft resolution, so as to avoid transmitting to the Commission on Human Rights an incoherent text which would give the Commission grounds for not carrying out the General Assembly's recommendation and for asking it for new instructions.

62. Mr. D'SOUZA (India) explained that his delegation, which had been a co-author of the joint draft resolution and had voted in favour of most of the amendments, had been compelled to abstain in the vote on the Syrian amendment, not from disapproval of its underlying idea or its author's intentions, but because its form did not appear adequate. His Government had not yet communicated its decision on the question which of the two covenants should include the article under discussion, and he reserved the right to declare that decision later in the Commission on Human Rights.

63. Mr. LANNUNG (Denmark) explained that his delegation had abstained in the vote, although it heartily supported the right of peoples to self-determination, because the draft resolution had become rather illogical, self-contradictory and incoherent. As a jurist, he felt that the text of the draft resolution should be revised preferably before it was transmitted to the General Assembly, at least before its final adoption there.

64. Mr. VALENZUELA (Chile) said that few resolutions had deserved the vote of the Chilean delegation as fully as the joint draft resolution (A/C.3/L.186 and. Add. 1) as amended by Afghanistan (A/C.3/L.209/Rev. 1). Nevertheless, the draft had been amended by Iraq and then by Syria in such a manner as to prevent the Chilean delegation from voting for it. The Chilean delegation recognized the benevolence and good faith of the authors, but regretted that they had introduced into the text a confusion which had forced his delegation to abstain.

65. Mr. TSAO (China) said that his delegation strongly supported the principle of the right of peoples to self-determination. Since, however, the final draft was seriously defective both in form and substance, it had been compelled to abstain on the draft resolution as a whole. It reserved the right to speak at a later stage if the question should arise again.

66. Mrs. ROOSEVELT (United States of America) said that she had voted for the whole of the preamble of the original draft resolution. She would have been glad to accept the explanation of the Iraqi amendment, but the Committee had accepted the amendment giving the Commission on Human Rights instructions contrary to the interpretation placed on the Iraqi amendment. Moreover, the entire text was so confused that even the solution suggested by the Rapporteur could not be expected to be very effective. Accordingly, although she strongly supported the right of peoples to self-determination, she had been obliged to vote against the draft resolution.

67. Mr. CASSIN (France) regretted that the withdrawal of the United States amendment (A/C.3/L.204/Rev. 1) had not permitted unanimous action reaffirming the principle of self-determination of peoples. Such action would have avoided the insertion, in a covenant safeguarding individual rights, of provisions for the protection of purely collective rights, and would have enabled the General Assembly itself to determine the wording of the article to be included in that covenant, which the Commission on Human Rights was not authorized to alter but only to complete.

68. The French delegation felt that such a procedure was bound to delay the implementation of the covenant and limit its scope, because the covenant contained principles which would be weakened if it were only ratified by a few States. Moreover, the USSR amend-

ment (A/C.3/L.216) discriminated against and imposed special obligations upon States administering Non-Self-Governing Territories, and did not take account of States whose independence was merely illusory.

69. His delegation had voted for the United States amendment (A/C.3/L.224) and would have liked to vote for the Greek amendment (A/C.3/L.205/Rev. 1), which was in conformity with the Charter and repeated a decision taken by the Assembly at the fifth session, but could not do so because of the addition to it of the Syrian amendment (A/C.3/L.221).

70. The difficulties of interpretation which had already arisen over the text, for which the French delegation had been unable to vote, presaged further difficulties when the covenant came to be implemented. He thought a better way could have been found to safeguard the principle of self-determination of peoples.

71. Mr. RIBAS (Cuba) agreed with the Chilean representative that the text adopted was both confused and incoherent. He had approved the original text of the joint draft resolution as well as the Afghan amendment, but he had abstained from voting on the final text because the Iraqi and Syrian amendments had been adopted.

72. Mrs. AFNAN (Iraq), speaking on a point of order, pointed out that the amendment submitted by her delegation had added nothing to the substance of the joint draft resolution.

73. Mr. SMITT INGEBRETSEN (Norway) said that his delegation had intended to vote for the inclusion in the covenant on human rights of an article on the right of peoples to self-determination, but had been obliged to abstain from voting on the final text because it was so confused.

74. Mr. MUFTI (Syria) said that his delegation had voted for the joint draft resolution and all the amendments submitted. It considered the text adopted to be fair, in conformity with the Charter and perfectly clear. The objections raised by those representatives who had found the text confused were groundless, and were made solely to justify their opposition to it.

75. Mr. ALEMAYEHOU (Ethiopia) said he had voted for the draft resolution as a whole — which he considered to be in conformity with the Charter — and for all the amendments except that of the United States of America (A/C.3/L.224), which had been submitted after the USSR amendment (A/C.3/L.216) and had become pointless after that amendment had been adopted. He had therefore abstained from voting on it.

76. Mr. BEAUFORT (Netherlands) recalled his earlier remarks (398th meeting) explaining why he had been unable to vote for the joint draft resolution although his delegation supported the principle of self-determination of peoples. He protested against the allegations of certain representatives impugning the sincerity of those who had objected to the provisions adopted, and expressed the hope that in future the members of the Committee would refrain from casting such aspersions and would respect the freedom of opinion of their colleagues.

77. Mr. NAJAR (Israel) said that his delegation's abstention in the vote on the joint draft resolution did not imply opposition to the principle, which it unreservedly approved, of the right of peoples to self-determination.The Third Committee's task was not, however, to state general principles but to draw up a legal instrument, namely, the covenant. The Committee had been required to take a decision, not on the principle, but on the introduction into the covenant of an article stating it. His delegation, together with a certain number of other delegations, felt that the covenant would be worthless unless it contained international measures of implementation. Its content must therefore be confined to provisions which could be so implemented. Other delegations, on the other hand, felt that measures of implementation were unnecessary ; accordingly they could call for the inclusion of as large a number of provisions as possible in the covenant. His delegation had been torn between the legal considerations inducing it to vote against the joint draft resolution, and its sympathy for the principle of the right of peoples to self-determination. His abstention should therefore be regarded as a tribute to the principle.

78. Mr. REYES (Philippines) said that he had abstained from voting on the Syrian amendment ; while approving the purpose of the authors of that text, he felt that it had been somewhat unfortunately drafted.

79. Mr. LESAGE (Canada) desired to pay a tribute to the Chairman. Canada was a living example of the application of the right of peoples to self-determination. His delegation had voted against the joint draft resolution for reasons similar to those mentioned by the Israel representative. The Syrian amendment was a striking example of the confusion and contradictions which were liable to arise when emotion prevailed over logic and reason.

80. Mr. MENEMENCIOGLU (Turkey) reminded the Committee that his delegation had stated during the general debate (400th meeting) that it supported the principle of the right of peoples to self-determination, which was recognized in the Charter. It felt, however, that to take certain provisions of the Charter out of their context was dangerous, and had consequently voted against the joint draft resolution and the amendments.

81. Mr. PAZHWAK (Afghanistan) stated that he had voted for Iraqi amendment (A/C.3/L.217/Rev.1) on the understanding that its wording would not prevent the Commission on Human Rights from improving the drafting of the article which was to be inserted in the covenant. He had voted for the Greek amendment (A/C.3/L.205/Rev. 1), which emphasized the need for ensuring international respect for the *right* of peoples to self-determination, and not merely for a *principle*. To that end, he had even asked for a separate vote on the word "international". He had also wished to state that the final text should be submitted to the General Assembly at its seventh session.

82. Mr. DE GUZMAN NOGUERA (Colombia) said that his country owed its existence to the principle of the right of peoples to self-determination. So many confusing factors had been introduced into the joint draft resolution, however, that it had become an unsound document not only in form but in substance, and his delegation had therefore been obliged to abstain. It had voted for the USSR amendment (A/C.3/L.216), the principle of which it approved.

83. Mrs. COELHO LISBOA DE LARRAGOITI (Brazil) could not allow it to be thought that her delegation had voted for the joint draft resolution for emotional reasons, as certain representatives had suggested. No doubt the text adopted was somewhat confused in its drafting, but its meaning was quite clear. The fact that many nations were unable to express their will should move the representatives of other countries to declare their own will that the right of all peoples to self-determination should be ensured.

84. Mr. BAROODY (Saudi Arabia) stated that he had voted for all the amendments so as to save the Committee from wasting time. The text approved might not be perfect ; but the amendments were for the most part merely directives to the Commission on Human Rights, which was to take into account the opinion expressed by the majority.

85. The vote which had just taken place was the first step towards liberation of the peoples of the Non-Self-Governing Territories; that liberation would prevent bloody conflicts from arising in the future between the peoples of those territories and the countries administering them.

86. Mr. PAVLOV (Union of Soviet Socialist Republics) said that his delegation had voted against the provisions submitted by the United States of America, which would have deleted from the USSR amendment the clauses which stressed the special responsibility of the Administering Powers in the Non-Self-Governing and Trust Territories. It was particularly necessary to enable the inhabitants of those territories to enjoy the right of peoples to self-determination, and the Administering Powers had a special duty to do so.

87. The United States amendment, however, introduced a dangerous clause stating that the right of peoples to self-determination must be upheld by all States, others included; that might sanction an entirely unjustifiable intervention in the internal affairs of those States. For the same reasons his delegation had voted against the word "international" in the Greek amendment.

88. However, the acceptance of the USSR amendment, according to which the right of peoples to self-determination would be granted to *all* peoples, and the reference to the Charter of the United Nations, which by its Article 2, paragraph 7, prohibited any intervention in domestic affairs, had laid his delegation's fears on that point and enabled him to vote for the draft resolution as a whole.

89. That vote was the beginning of the great struggle to liberate the peoples of the Non-Self-Governing Territories, and a sturdy blow at the colonial system. The Committee had in fact taken an irrevocable decision — and neither the Commission on Human Rights nor the Economic and Social Council could reverse it — to include in the covenant the text guaranteeing the right of self-determination to all peoples. The decision was very far-reaching, and it was therefore not surprising that the representatives of the colonial Powers, while approving the principle, should have voted against it.

90. Mr. BAROODY (Saudi Arabia) moved the adjournment of the meeting.

The motion was adopted by 26 votes to 1, with 2 abstentions.

The meeting rose at 6.15 p.m.

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