UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL



GEMERAL E/CN.4/SR.175 10 May 1950 ORIGINAL: ENCLISH

COMMISSION ON HUMAN RIGHTS Sixth Session SUMMARY RECORD OF THE HUNDRED AND SEVENTY-FIFTH MEETING Held at Lake Success, New York, on Friday, 28 April 1950, at 2.30 p.m.

CONTEN'IS:

Distribution of confidential list of communications Draft international covenant on human rights (E/1371, E/CN.4/365, E/CN.4/447/Rev.1, E/CN.4/455/Rev.1, E/CN.4/458) (continued) Article 21 Article 20 (continued)

Chairman:	Mrs. F.D. ROOSEVELT	United States of America
Members:	Mr. WHITLAM	Australia
	Mr. NISOT	Belgium
	Mr. VALENZUELA	Chile
	Mr. CHANG	China
	Mr. SORENSON	Denmark
	Mr. RAMADAN	Egypt
	Mr. CASSIN	France
	Mr. KYROU	Greece

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Members (continued):			
•	Mrg. Menta	India	
	Mr. AZKOUL	Lebanon	
•	Mr. MENDEZ	Philippines	
•	Mr. HOARE	United Kingdom of Great Britain and Northern Ireland	
	Mr. ORIBE	Uruguay	
	Mr. JEVREMOVIC	Yugoslavia	
Also present:	Mrs. GOLDMAN	Commission on the Status of Women	
Representatives of non-governmental organizations:			
Category A:	Miss SENDER	International Confederation of Free Trade Upions (ICFTU)	
Category B:	Miss TCMLINSON	International Federation of Business and Professional Women	
	Miae ROBB	International Federaticn of University Women	
	Mise ZIZZAMIA	International Union of Catholic Noman's Leagues	
Socretariat:	Mr. SCHWELB	Assistant Director, Division of Human Rights	
	Mr. LIN MOUSHENG	Secretary of the Commission	

DISTRIBUTION OF CONFIDENTIAL LIST OF COMMUNICATIONS

I. The meeting opened in closed session for the distribution of the confidential list of communications. After a brief explanation, the CHAIPMAN opened the meeting to the public and representatives of non-governmental crganizations.

DRAFT INTERNATIONAL COVENANT ON HUMAN RIGHTS (E/1371, E/CN.4/365, E/CN.4/447/Rev.1, E/CN.4/455/Rev.1, E/CN.4/458) (continued)

Article 21

2. Mr. ORIBE (Uruguay) noted that the USSR had proposed a text for the article and asked the Chairman to clarify the procedure to be followed in respect of all proposals and amendments submitted by the USSR delegation, including those which appeared in the replies of Governments to the Secretary-General's questionnaire.

3. Mr. SCHWELB (Secretariat) recalled that the Commission had decided at an earlier meeting that it was unnecessary to move proposals and amendments whic. already appeared in the text of comments by Governments. It was for the Commission to decide whether that measure of expediency should extend to the proposals of Governments whose representatives were not attending the sixth session.

4. The CHAIRMAN said that, in accordance with the earlier decision recalled by Mr. Schwelb, she was prepared to put to the vote whatever USSR proposals and amendments had been submitted. The summary record of that decision indicated that "unless members stated otherwise", representatives need not be present to move amendments which had been submitted in the form of comments.

5. She pointed cut, however, that at the time of its withdrawal from the Commission, the USSR delegation had expressly stated that it would not consider valid any decisions taken in its absence. It was therefore her personal view that the USSR had withdrawn its proposals for the draft covenant when it withdrew its representatives. On the other hand, it had been the practice of the Commission to discuss and vote upon all texts submitted by members unless they had been definitely withdrawn. If it now adopted another course, it would be departing from that procedure.

6. Mr. VALENZUELA (Chile) emphasized that the USSR had withdrawn from the Commission for political reasons; its withdrawal should not affect the work in progress or the procedure normally followed. If, in the absence of the USSR representative, the Commission failed to vote on that delegation's proposals, it would be setting a dangerous precedent which might result in the invalidation of all proposals voted upon in the absence of their movers or sponsors.

7. Mrs. MEHTA (India) said that all proposals and amendments must be presented; in the absence of the original mover, they might be sponsored by be some other delegation.

8. Mr. AZKOUL (Lebanon) supported that view and noted that unless Governments withdrew their proposals, it had been the practice for their representative. to move them as separate documents.

9. Mr. JEVREMOVIC (Yugoslavia) considered that the only course open to the Commission, in the light of its previous decision, was to vote on the USSR amendments. The presence or absence of the sponsors was an irrelevant factor and must not be permitted to modify the regular procedure.

/10. Mr. CASSIN

10. Mr. CASSIN (France) conceded that the situation was somewhat embarrasing, but preferred to vote on the USSR emendments despite the absence of a representative to present them and offer supporting arguments. He would do so on the understanding that the Commission's work on the draft covenant was not final since it would subsequently have to be approved by the General Assembly. He hoped that the USSR would eventually be able to participate in the work; the results achieved in the sixth session should be submitted for their consideration.

11. Mr. KYROU (Greece) spreed with the representative of France.

12. The CEAIRMAN, basing herself on what appeared to be the consensus of opinion, ruled that the USSR proposed text for article 21 should be put to the vote.

Mr. AZKOUL (Lebanon) could not associate his delegation with that ruling 13. The Commission's carlier decision to the effect that proposals in the form of comments were receivable had been taken out of fear that all amendments could not be submitted in time to meet the specified deadline. Normally, however, the fate of a proposal depended upon the arguments presented by its movers. In the absence of the movers of the USSR proposals, there was no basis for a vote, and the Commission would be prejudging the intentions of the original sponsors. It was unfair to assume, arbitrarily, that the latter wished to maintain or withdraw them On the other hand, if no other delegation was prepared to sponsor them, they would be doomed in advance. The Lebense delegation was not prepared to share in that responsibility. Moreover, the decision to vote on the USSR proposals should not imply that the Commission's work was of a provisional nature. On the contrary, an extension of the work programme for one or more subsequent sessions should not be influenced by its desire to permit future participation by the USSR. If the Commission should decide to present a definitive text of the draft covenant at the closs of the sixth session, that decision should not be effected by its attitude toward the USSR proposals.

14. The CHAIRMAN observed that the Commission was not responsible for the absence of the USSE delegation; the circumstances which had resulted in its withdrawal were beyond the Commission's control. On the other hand, in the /course of

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15. Mr. CASSIN (France) added that the position of the Commission must be explained to the Council so that the latter could assume its responsibility with full knowledge of the facts. To that ertent, the work of the Commission was necessarily provisional.

i6. Mr. NISOT (Belgium) was doubtful of the regularity of the decision where by proposals made by correspondance by members of the Commission must, as such, be regarded as motions put forward in the Commission. However, since the Commission had made that decision, and applied it in other cases, it would be unwise to deprive the proposal made in that way by the USSR of its benefits. The absence of the USSR delegation might be regarded as evidence of an intention not to defend the proposal, but not of an intention to withdraw it.

17. Mr. MENDEZ (Fhilippines) thought that no hard and fast rule could be made regarding the absence of sponsors of proposals. He himself had been unavoidably absent from meetings and had been unable to present his amondments. Such accidents must be distinguished from deliberate withdrawal, and could not be interpreted as failure to support or defend proposals originally moved. Mr. Mender formally placed his amondment to article 21 before the Commission and asked that it should be voted upon.

18. Mr. ORIBE (Urugury) agreed with the representative of Chile that the arbitrary political action of the USSR in withdrawing from the Commission should not prejudice the normal voting procedure. While it was his personal view that the USSR had actually withdrawn from all participation in the work on human rights, the issue should not be prejudged and its proposals should be voted upon. Mr. Oribe would vote against them.

19. Mr. SORENSON (Denmark) pointed out that the U.SR proposals had not been submitted as amendments to any specific text; they had been offered for inclusion in the report of the fifth session. In cases where amendments to the text of the draft covenant had been adopted by the majority at the fifth session, the normal /practice practice was to vote on them. The USSR proposal for article 21 was parallel with the French proposal for that text; if the latter were put to the vote first, it would be unnecessary to vote on the USSR text.

20. The problem was therefore not merely one of interpreting the rules of procedure; it had a distinct bearing on the approach to the work of the Commission. A departure from the regular procedure would give the USSR a further pretext for questioning the validity of the Commission's decisions. Accordingly, it should vote on the USSR proposals with the clear understanding that its note should not be considered final.

21. The CHADRMAN recalled that in its general statement concerning the draft covenant (E/CN.4/365), the USSR Government considered it "necessary to include in the covenant" the articles submitted by its delegation at the fifth session.
22. She called for a vote on article 21. Since the proposal for deletion was the furthest removed from the original, it was put to the vote first.

Article 21 was deleted by 7 votes to 4, with 3 abstentions.

rticle 20

23. The CHAIRMAN drew attention to the Lebanese amondment (E/CN.4/458) which linked paragraphs 1 and 2 of the original text.

24. Mrs. MFETA (India) would be prepared to withdraw her amendment (E/CN.4/455/Rev.1) if she could be assured by the representative of Lebonon that non-discrimination applied both to the concept of equality before the law and equal protection of individuals by law.

25. Mr. ACKOUL (Lebenon) first corrected the French version of his emendment so that the transition phrase would read: "sens distinction aucuno, notemment.." 26. Ee assured the representative of India that non-discrimination applied to both concepts. His emendment was intended to replace the whole of article 20, on the understanding that paragraph 2 of the original text would be combined with article 2 at a second reading. If the Commission should decide at that time to adopt a contrary decision, his delegation reserved the right to alter its position on article 20.

/27. Mr. NISOT

27. Mr. NISOT (Belgium) supported the Lebanese amendment as a compromise solution.

28. Mrs. MEHTA (India) withdrew her amendment in favour of that of Lebanon.

29. Mr. CASSIN (France) appreciated the concern of India not to exclude from protection of the law rights which were not specifically listed in the draft covenant. The text of the Indian amendment, however, did not dispel all ambiguity and might have given rise to conflicts in interpretation.

The Lebanese amendment came closer to a real solution of the problem 30. by extending equal protection of the law to all who might suffer from discrim-Its weakness lay in the fact that it attempted to combine two very ination. different concepts: equality before the law and equal protection of the law on the one hand, and discrimination, on the other, in an effort to extend the scope of the article to rights outside of those included in the covenant which might be violated through discriminatory practices. But the Charter already condemned all such practices and obligated all Member States to eliminate them. The Declaration of Human Rights placed the same general obligation on the signatory States. The covenant, far from narrowing the scope of the protection afforded, supplemented and completed the two earlier instruments by providing special measures of implementation for the specific rights and obligations with which it doalt.

31. Much of the confusion surrounding the question of non-discrimination had arisen because paragraph 2 of article 20 should have been placed either in article 2 or in some other context as a measure of implementation. France ' would therefore support the Lebanese motion to add it to article 2.

32. Mr. CHANG (China) pointed out that while paragraph 1 was closely linked to the Declaration, it had to be interpreted in terms of the law; although the domination might believe in the largest concept of equality, it could derestished accept the clathicity provisions of article 20 and thus take/enjoitient ship forward in the field of trendy protection. The Lebanese text stressel the notion of equality, whereas the coverant could only deal with equality before the law. He therefore wished to resorve his position on paragraph 1.

/33. He also

33. He also thought that paragraph 2 should be inserted in article 2, where it would apply to all rights.

34. He was opposed to the two drafting amendments which had been presented. He thought that if the Commission decided to retain the Lebanese amendment, it could leave such matters to the Style Committee.

35. In reply to Mrs. MEHTA (India), Mr. CASSIN (France) said the revised Indian amendment (E/CN, 4/455/Rev.1) did not meet his objections. He could not vote for a broad general provision in paragraph 1 unless its scope were defined in paragraph 2.

36. Mr. JEVREMOVIC (Yugoslavia) supported the Indian amendment. The purpose of both articles 2 and 20 should be clearly defined. The concrete objective of article 2 was to induce each signatory state to guarantee the rights set forth in the covenant to each of its citizens, but article 20 contained a broader concept of equality. He preferred the original draft to the narrower Lebanese text which did not compel the State to guarantee its citizens the enjoyment of all human rights without discrimination, as did the Yugoslav and Indian texts.

37. He supported the Yugoslav amondment. If that were defeated, he would vote for the Indian amondment.

Mr. HOARE (United Kingdom) agreed that paragraph 1 was a general 38. statement of principle which possibly was out of place in article 20, while paragraph 2 was a concrete expression of rights. To combine those two paregraphs could only result in confusion, because laws which effected discrimination could exist even where everyone was equal before the law and was accorded equal protection of the law. Moreover, the Lebanese text might imply that equal protection of the law meant equal rights, which, it had been docided, was not the meaning of article 20. If the words "without discrimination on any ground such as race, colour, ser, language, religion, political or other opinion. national or social origin, property, birth or other status" were inserted in that article, a similar clause would have to be inserted in other articles. For all those reasons, the original text should be retained.

/39. He was

39. He was opposed to the revised Indian amendment, which compelled the state to pass laws to fulfil its obligations under the covenant without defining the scope of its obligation in matters of discrimination. The nost insidious type of discrimination was to be found in fields which were beyond the reach of the law. Actually, the law could not do away with that evil. Only through education and the gradual elimination of prejudices could discrimination be destroyed. He therefore opposed the Indian and Lebanese texts.

40. The CHAIDMAN, speaking as representative of the United States of America, said she would vote in favour of the Lebanese text to replace the original draft of article 20.

41. Mr. VALENZUELA (Chile) said that he intended his amendment to apply to the Lebanese text.

42. Mr. CASSIN (France) suggested that a separate vote should be taken on the Chilean amendment.

43. Mr. CHANG (China) thought the Chilean amendment was academic because the term "ethnic origin" would convey but little to the common man... 44. The people who had suffered for many years, as European expansion fostered the concepts of discrimination based on race and colour, would not be satisfied with that term. To avoid misunderstanding, therefore, the Commission should adhere to the language of the Charter and the Universal Declaration of Human Fights.

45. It was a matter of substance and not of drafting, and should be weighed carefully. In signing the Charter and in proclaiming the Declaration man nations had solemnly given sanction to the words "race" and "colour", which although not scientific terms, were clearly understood throughout the world. On the other hand, "othnic origin", which included the notion of language and religion, was too broad and confusing. Moreover, many nations still used the old terms in official documents. The Commission should therefore use those same words in preventing discrimination. If the Commission wished, it could use both "race" and "colour" in quotation marks in the covenant, but at all costs they should be retained.

46. He assured the Commission that the Chilean amendment could have micloading and far-reaching consequences and urged that it should be withdrawn until some future date, when public opinion was better prepared to understand its full implications.

47. He reserved the right to intervene again in the debate.

48. Mr. KIROU (Greece) asked that the Lebanese text should be put to the vote first. He pointed out that, if the Chilean amendment were adopted, further drafting changes would be required in the Lebanese text.

49. Mr. VAIENZUEIA (Chile) could not understand the Clinese representative': objections to the Chilean amendment. At the previous meeting, he had attempted to point out that the original terms "race" and "colour" were most degrading to the peoples concerned. The Chilean amendment had been put forward in the spirit which had traditionally impelled that nation to fight discrimination in all its forms.

50. The terms "race" and "colour" were false. The race theory, which was wholly without scientific basis, was most harmful. The Chilean delegation, having in mind the problems which might arise in future, intended to press for a vote on its amendment. It believed that public opinion should be educated. It believed that the Commission would achieve greater progress by adopting the words "othnic origin" than by retaining the unscientific terms "race" and "colour".

51. He did not agree that the Chilean amendment was not clear, and reminded the representative of Greece that, if it was adopted, the Style Committee could 1 asked to make any necessary drafting changes.

52. Mr. AZHOUL (Lebanon) opposed the Chilean amondment because he feared it might lead to complications in the interpretation and execution of the obligations imposed by the covenant. If the term "ethnic origin" was the equivalent of "race" and "colour", it was unwise because it admitted the existence of a biological difference. If it was broader and included culture and religion, it was dangerous because it would heave a way open for abuse. Technically, a Government could discriminate against a person on grounds of race, and still not infringe the article, as race was but one aspect of ethnic origin. He appreciated the high motives which had impelled the Chilean representative, but

would oppose his amendment for the reasons he had given.

With regard to the remarks of the United Kingdom representative, he 53, said that the first phrase of the Lebanese amendment was intended as a general statement of principle, the second part of the article being a necessary If that was admitted, there could be no poscorollary of that principle. sibility of misunderstanding the last phrase, which began with the words "without discrimination on any ground ... ". His text was similar to article 7 of the Declaration, which had not listed the grounds on which discrimination was often As the based as they had been enumerated in article 2 of the Declaration. covenant did not contain an article listing the elements of discrimination, however, he thought it would be wise to include them in article 20. He hoped the United Kingdom would be able to vote in favour of the Lebanese text, especially as it had voted for a similar text in the Declaration.

54. Mr. ORIBE (Uruguay) pointed out that discrimination was not exclusively a product of Western imperialism. Like all cultures, the Western European had made significant contributions to civilization.

55. Mr. CHANG (China) stated that he had no doubt of the sincere desire of the representative of Chile to wipe out racial discrimination. In referring to the Chilean amendment as academic, he had voiced his opinion of the proposal, which he felt was inappropriate at that stage since it departed from the wording of the United Nations Charter and the Universal Declaration of Human Rights. 56. In reply to the representative of Uruguay, he made it clear that he had referred to Western expansion during the last two hundred years which had spread discrimination. It had not been his intention in speaking of that unfavourable aspect of Western development to minimize the valuable contributions of the West to the progress of mankind.

/57. The CHAIRMAN

E/CN.4/SR.175 Page 11 57. The CHAIRMAN indicated that the Commission was seeking to find the wording which would be most meaningful for the common man. There was no desire to cast reflection on any civilization.

58. Mr. JEVREMOVIC (Yugoslavia) stated that since discrimination on grounds of race and colour was still prevalent, the Commission should be realistic and maintain those words in the text.

59. Mr. CASSIN (France) requested that the Chilean amondment should be voted on in two parts.

60. The CHAIRMAN put to the vote the Chilean amendment to replace "race" by "ethnic origin".

That amondmont was rejected by 9 votes to 4, with 2 abstentions,

61. The CHAIRMAN put to the vote the Chilean amendment to replace . "colour" by "ethnic origin".

That amondment was rejected by 9 votes to 3, with 3 abstentions.

62. Mr. MENDEZ (Philippines) explained that he had abstained from voting on the Chilean amendment because, although he appreciated its motivos, he felt that discrimination because of race and colour were stubborn realities which the Commission must face. Moreover, the expression "ethnic origin" might be broader in scope than "race and colour" and should therefore be given further study.

63. Mr. NISOT (Belgium) explained that he had voted in favour of the Chilean amendment because he was convinced that it was inopportune to give new sanction to terminology which was regarded as humiliating by one section of humanity. He regarded the expression "coloured peoples" as inadmissible.

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64. The CHAIRMAN put to the vote the first part of the Lebanese amendment (E/CN, 4/458) ending with the word "law" which precoded "without".

The first part of the Lebanese amendment was adopted by 13 votes to note, with 2 abstentions.

65. The CHAIRMAN put to the vote the second part of the Lebanese amendment starting with the word "without".

The second part of the Lebanese amendment was adopted by 7 votes to 5, with 3 abstentions.

The Lebanese amendment as a whole was adopted as the text of article 20 by 9 votes to 3, with 2 abstentions.

66. Mr. JEVREMOVIC (Yugoslavia) said that he had abstained on part of the Lebanese amendment and voted against it in part because he considered the text inadequate without a statement that all persons without distinction should enjoy all the rights defined in the covenant.

67. Mr. CASSIN (France) stated that he had been unable to vote for the Lebanese amendment because he feared it might give rise to divergent interpretation.

68. Mr. SORENSON (Denmark) indicated that he had voted against the Lebenese amendments for the reason given by the representative of France and because, while he was not opposed to its content, he felt that the text was not adequate.

69. Mr. VALENZUELA (Chile) stated that he had voted against the Lebanese amendment because it contained a disparaging reference to race and colour. The Chilean delegation would continue its fight for the deletion of those words by the General Assembly.

Article 22 (E/1371, E/CN.4/365, E/CN.4/416, E/CN.4/454)

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70. Mr. JEVREMOVIC (Yugoslavia) withdrew the Yugoslav amendment to article 22, paragraph 1 (E/CN.4/416) because its content was covered by the Yugoslav proposal for an additional paragraph to article 22 (E/CN.4/454).

/71. He recalled

71. He recalled that in drafting the covenant the Commission had constantly been faced with the problem of ensuring maximum enjoyment of rights by the individual and at the same time preventing abuse of those rights. Nost of the texts adopted had failed to solve the problem because they employed broad terms such as "public order", which left Governments free to curb individual freedoms. No provision had so far been made against abuce for anti-democratic purposes.

72. It was the duty of the Human Rights Commission to defend all of the principles and purposes of the United Nations Charter from abuse and to include provisions which would ensure that the rights and freedoms set forth in the covenant would not jeopardize other rights which were not covered by the covenant.

73. The Yugoslav amendment for an additional paragraph was intended to prevent the abuse of specific freedoms for war propaganda or any other aims contrary to the Charter. It would also prevent Governments from arbitrarily interpreting "public order" to the projudice of the purposes and principles of the Charter.

74. It was important for the covenant on human rights to achieve the dual purpose of protecting the individual and safeguarding the principles of the Charter.

75. The CHAIRMAN, speaking as representative of the United States of America, noted that the United States had proposed the deletion of paragraph 1 of article 22 because it was "vague, unnecessary and open to abuse". The meaning and scope of that paragraph were not clear.

76. When read in connexion with article 2, was paragraph 1 to signify that States would make it a crime under the law to engage in "any" activity or perform any "act" aimed at the destruction of or limitation of any right or freedom defined in the covenant? In court likingation involving the existence or the extent of a right, would an attorney defending an individual accused of violating that right be engaged in any activity or performing an act aimed at the destruction of the right? Similarly would any attempt to have the covenant amended be considered as an activity or an act aimed at the destruction of any of the rights as defined and limited in the covenant? An analysis of a right or a vote against a particular law implementing a right might also be considered as subject to punishment.

/77. Paragraph 1

77. Paragraph 1 of article 22 therefore had dangers which should be avoided. Since the rights and freedoms set forth in the covenant were given with their limitations, the additional paragraph was unnecessary and should be omitted.

78. Similar objections applied to paragraph 2, which failed to make clear the rights and freedoms referred to in its text. Were all rights and freedoms enjoyed by individuals within the jurisdiction of a contracting state, regardless of the nature of those rights, to be left untouched under the terms of paragraph 2? Nothing would then be left of the protection in the covenant against abuses of freedom such as arbitrary arrest or detention. The paragraph might destroy the covenant itself.

79. Under the final clause of preagraph 2, which provided that nothing in the covenant "may be construed as limiting or derogating from any of the rights and freedoms which may be guaranteed to all under the laws of any Contracting State or any convention to which it is a party", the understanding might be for example that/existing treaty provision curtailing the rights of nationals to return to their own country, would be maintained and that nationals would be prevented from returning to their country. By edopting the provision reserving all rights and freedoms guaranteed in "conventions to which it is a party", a contracting state could at any time enter into a treaty dispensing with or limiting any of the rights and freedoms otherwise prescribed by the covenant.

80.

Paragraph 2 was therefore unsound and should be deleted.

81. Mr. CASSIN (France) could not agree that article 22 was unnecessary.
In his opinion, that text completed the covenant by forbidding states to limit or restrict rights and freedoms set forth in the covenant. Nor could he agree that the text was subject to the dangerous interpretation given by the representative of the United States. The right of criticism would in no way be impaired since the article related only to destruction of rights.
82. The second paragraph of article 22 was extremely important because it made it clear that the provisions of the covenant established minimum requirements in human rights, but stated specifically that states could accord broader rights. If there were two international instruments on the same subject states were bound by the more progressive instrument.

/63. Mr. NISOF

83. Mr. NISOT (Belgium) thought that article 22 might be subject to tendentious interpretation, and was, in addition, superfluous, since its content was covered by the presumptions of international law.

84. Mr. AZKOUL (Lebanon) favoured the maintenance of article 22, which he considered an added safeguard. Although attempts had been made throughout the covenant to anticipate all possible misinterpretation, a general statement in the final section was essential in order to prevent limitation of rights. 85. The second paragraph was also important, and the need for such a provision had been tested in the case of the Indian amendment to article 20. Since other articles might also give rise to restrictive interpretation, the second paragraph was an essential precaution. Moreover, that text recognized other conventions or international agreements if their provisions were broader. 86. The Lebanese delegation saw no adequate reason for deleting article 22 because in its view the United States comments were vague.

87. Mr. SORENSON (Denmark) could not agree with the United States interpretation of paragraph 2 of article 22 as meaning that any other law or convention would supersede the covenant. In his opinion the rule that in case of conflict the text giving the maximum emount of protection was applicable, provided a sound basis for the protection of human rights.

88. The provisions of the first paragraph were important to democracies i defending themselves against totalitarian tendencies. The text gave covernments the right to limit the rights and freedoms of those seeking to destroy democracy if such action were deemed essential.

39. The last phrase of paragraph 1 might cause doubt, and he would not insist on the retention of those words. The text might be voted on in parts with a division after the word "or", so that members who objected to the final words would be able to vote for the first part.

The meeting rose at 5.30 p.m.