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SUMMARY RECORD OF THE TWO HUNDRED AND NINETYTH MEETING
Held at Headquarters, New York,
on Monday, 12 May 1952, at 2.30 p.m.

CONTENTS:

Draft international covenants on human rights and measures of implementation: part III of the draft covenant drawn up by the Commission at its seventh session (E/1952: E/CN.4/535/AAA.5; E/CN.4/L.51/Corr.1, E/CN.4/L.80/Rev.2, E/CN.4/L.85/Rev.1, E/CN.4/L.95, E/CN.4/L.96/Rev.1, E/CN.4/L.98, E/CN.4/L.99, E/CN.4/L.100, E/CN.4/L.101, E/CN.4/L.102/Rev.1) (continued);
Article 28 (continued)

<u>Chairman:</u>	Mr. MALIK	Lebanon
<u>Rapporteur:</u>	Mr. WHITLAM	Australia
<u>Members:</u>	Mr. NISOT	Belgium
	Mr. VALENZUELA	Chile
	Mr. CHEUNG PANG-KAN	China
	ADMI Deq	Egypt
	Mr. JUVIGNY	France
	Mr. KIROU	Greece

Members (continued):

Mrs. MERIK	India
Mr. AZKOUJ	Iskron
Mr. WAHEED	Pakistan
Mr. BOFATIKKI	Poland
Mrs. ROQUEL	Sweden
Mr. KOVALENKO	Ukrainian Soviet Socialist Republic
Mr. MOSELOV	Union of Soviet Socialist Republics
Mr. HOARE	United Kingdom of Great Britain and Northern Ireland
Mrs. ROOSEVELT	United States of America
Mr. BRACCO	Uruguay
Mr. JETREMOVIC	Yugoslavia

Representative of a specialized agency:

Mr. SABA	United Nations Educational, Scientific and Cultural Organization (UNESCO)
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Representatives of non-governmental organizations:

Category A:

Mr. LEARY	International Confederation of Free Trade Unions (ICFTU)
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Category B and Register:

Mr. LEVIN	Agudas Israel World Organization
Mrs. HYDER	International Federation of Business and Professional Women
Mrs. ROEB	International Federation of University Women
Mr. BEER	International League for the Rights of Man
Miss GAFTLAN	World Union of Catholic Women's Organs
Mrs. FOLSTEIN) Mrs. FARRER)	World Union for Progressive Judaism

Secretariat:

Mr. GEORGES-PICOT	Assistant Secretary-General in charge of the Department of Social Affairs
Mr. HUMPHREY	Director of the Division of Human Rights
Mr. DAU	Secretary of the Commission

/DRAFT INTERNATIONAL

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION:
PART III OF THE DRAFT COVENANT DRAWN UP BY THE COMMISSION AT ITS SEVENTH SESSION
(E/1992, E/CH.4/635/Add.5, E/CH.4/L.51/Corr.1, E/CH.4/L.80/Rev.2,
E/CH.4/L.85/Rev.1, E/CH.4/L.95, E/CP.4/L.96/Rev.1, E/CH.4/L.98, E/CH.4/L.99,
E/CH.4/L.100, E/CH.4/L.101, E/CH.4/L.102/Rev.1) (continued): article 26 (continued)

Article 26 (continued)

Mr. AZEDUL (Lebanon) recalled that the Indian, USSR and UNESCO representatives had asked why the introductory sentence of paragraph II of his amendment (E/CH.4/L.96/Rev.1) said that "the steps to be taken by the States... shall include the necessary steps" -- "steps" in the English text was a better word than "measures" -- instead of saying simply "States shall take the necessary steps". The reason was that article 1 as adopted by the Commission (E/CH.4/666) already stated that each State party to the covenant undertook to take certain steps, and that article 26 was naturally subject to that provision. In his amendment he was therefore saying that the steps which States had undertaken to take under article 1 would include the steps enumerated in paragraph II, sub-paragraphs (a), (b), (c) and (d). To adopt the phrasing suggested by the above-mentioned representatives would imply that article 26 was not subject to article 1, with its various obligations and limitations. He had eliminated the word "equally" from the clause on higher education for a similar reason -- in order to show that it remained subject to the non-discrimination clause in article 1.

In that connexion, he agreed with the Chilean representative that paragraph 2 of article 1 might not necessarily prevent States from practising segregation; but he could see no reason why the mere repetition of that clause in article 26 should have that effect, and thought that a new form of words would have to be found to cover such an eventuality.

The USSR representative had objected to the phrase in the Lebanese amendment which referred to understanding, tolerance and friendship "among all classes of society on the basis of justice" on the grounds that there were no antagonistic classes in his country. That was no reason for objection; that part of the text would simply not apply to the USSR, even as the reference in the same paragraph to "all racial, ethnic or religious groups" would not apply to countries with a homogeneous population. The USSR representative's opinion that there was no justice between exploiters and the exploited was perhaps correct; but that was in itself a reason for desiring relations between those groups to be

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conducted on the basis of justice, and the USSR representative should be the first to support such a provision.

He had eliminated in his amendment the reference to incitement to racial or other hatred because he felt that the idea was adequately expressed, in a positive form, in the passage which called for promoting understanding, tolerance and friendship among all groups and classes of society.

With regard to suggestions made by other representatives, he remarked that in his view the words in paragraph II (c), "whatever may be his resources", clearly indicated that, while higher education need not be free to those who could afford to pay for it, poverty should be no obstacle to higher studies. He was, however, prepared to accept the wording "irrespective of the lack of resources", which rendered the same idea. He also accepted the Greek representative's suggestion that in paragraph III "and the guardians of orphans" should be replaced by "and, when applicable, the legal guardians of orphans", and the United Kingdom representative's proposal that the words in the same paragraph, "the minimum educational standards prescribed" should be replaced by "such minimum standards as may be laid down".

In conclusion, he urged the Commission to adopt the Lebanese amendment, which was a clearer and more logical version of the contents of article 26 as adopted at the seventh session.

Mr. JUVIGNY (France) thought that the revised Lebanese amendment (E/CN.4/L.96/Rev.1) represented a considerable improvement on the original amendment (E/CN.4/L.96), and should serve as basis for whatever article the Commission finally adopted. Nevertheless, certain objections remained. The French delegation had on numerous occasions spoken in support of paragraph 7 of the original text of article 26; the revised Lebanese amendment came close to that paragraph, but remained weaker. Thus, it said that education should "seek to enable" everyone to participate effectively in a free society, whereas the original text said directly that education should "enable" everyone to do so. Furthermore, the Lebanese amendment made "respect for human rights and fundamental freedoms" subordinate to "the sense of dignity of the human person"; surely a covenant on human rights was not an instrument in which any reference to human rights should take second place.

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He was not sure that the mention of "guardians of orphans" was judicious: guardians were sometimes appointed for children whose parents were living; but were unable to exercise parental authority over them; furthermore, one could not really speak of the rights of guardians. They carried out certain obligations in the interest of their wards. The provision might therefore give rise to legal difficulties.

The reference to "religious education" in paragraph III of the Lebanese amendment was made in a text mainly concerned with the obligations of the State, and the provision could therefore be interpreted to mean that the State assumed an active obligation to furnish such religious education as might be desired. The French delegation was entirely unable to accept that provision -- an objection which did not apply to the wording in the earlier Lebanese amendment.

He associated himself fully with the analysis made by the United Kingdom representative at the morning meeting of the relation of the non-discrimination clause in article 1 to article 26, and would adopt the same position. Logically, the reference to non-discrimination should be deleted from article 26. Should the general clause in article 1 be altered, he shared the view of the United Kingdom representative that the discussion could then be reopened on the question of non-discrimination with respect to education.

References had been made to the state of education in French territories in Africa; he would not weary the Commission with a long list of statistics, particularly as such information would soon be available in document form, but would only say that the situation had undergone a radical change, and that since 1946 school attendance had risen greatly in all those territories, and had more than doubled in some. He cited several examples.

Mr. KORZYBSKI (Poland) said that, since the United Kingdom and Lebanese representatives had introduced revised texts of their amendments (E/CN.4/L.85/Rev.1, E/CN.4/L.95/Rev.1), he wished to revise his comments to those texts accordingly. The Polish amendment (E/CN.4/L.100) to the United Kingdom amendment would require certain minor drafting changes to fit the new text. The Polish amendment (E/CN.4/L.99) to the Lebanese amendment would now consist in the insertion, after the word "education" in paragraph I, of the words "in accordance with the principle of non-discrimination enunciated in paragraph 2 of article 1 of this Covenant", the replacement of the rest of that paragraph by the text of article 26, paragraph 7, and the substitution for paragraph II of the text given in point 2 of document E/CN.4/L.99. Point 3 of that document was no longer relevant.

The Polish amendments would result in a text which would be close to article 23 as adopted by the Commission at its seventh session but would contain a few improvements. He urged the Commission to adopt those amendments and to draft an article which imposed definite obligations on States. A great deal could be done in the field of education by State action; Poland was a striking example of that fact. Its cultural life had been almost completely destroyed as a result of German occupation; it had found itself without laboratories, schools, personnel or equipment, and in a few brief years it had raised education far above the pre-war level. Figures could be cited to show that progress; to give but one example, where before the war there had been only 90,000 students in vocational schools, they now numbered half a million.

The situation in other countries was in striking contrast to that prevailing in Poland. Segregation was practised in the United States and was defended by such eminent public figures as the former Secretary of State James Byrnes. In African territories, only a very small percentage of indigenous children of school age attended school, while adequate educational facilities were available for European children; thus, in French Morocco, with a Moslem population of eight million, only 78,500 Moslem children were enrolled in schools.

He had cited those facts -- and quite many others -- not in a desire to attack any country, but to show that it was the duty of the Commission to include in the covenant an article on education which would improve the existing situation by providing for free and compulsory primary education, non-discrimination, and the various other rights laid down in the original text of article 26.

The CHAIRMAN remarked that a few delegations were inclined to bring charges against other delegations' Governments which were usually left unanswered. Such one-sided accusations did nothing to further the progress of the Commission, which was already hard pressed for time, and were not, strictly speaking, in order. Consequently, although he was a firm believer in freedom of discussion, he would in future on such occasions have recourse to rule 43 of the rules of procedure, the second paragraph of which allowed him to call a speaker to order if his remarks were not relevant to the subject under discussion.

/Mr. BORUTYNSKI

Mr. BGRATYSKI (Poland) considered that the rule did not apply to his former intervention, since all his remarks had been strictly relevant to one clause or another of article 26, which was the subject under discussion.

Mr. MOROZOV (Union of Soviet Socialist Republics) observed that speakers could not, in his opinion, be called to order for citing well-documented facts entirely relevant to the discussion merely because some delegations -- and he would even say a single delegation -- found nothing to say in reply. With that one exception, all the delegations represented on the Commission had, at one time or another, quite properly cited facts in support of their convictions -- a practice which he, for his part, intended to continue.

He had remained unconvinced by the Lebanese representative's replies to criticisms of his text; the Lebanese amendment (E/CN.4/L.96/Rev.1) was weaker than the Polish sub-amendment (F/CN.4/L.99) and the original article 26. Moreover, the Lebanese representative had used a rhetorical argument in reply to the USSR criticism of the reference to classes of society; such a reference might be appropriate in the constitution of a capitalist State, but should not be included in an international instrument which could and should contain provisions which would be equally acceptable to all the possible signatories. Furthermore, the Lebanese representative had not refuted the argument that the relations between millions of workers and a handful of persons who exploited them by virtue of owning the means of production were basically unjust.

He wished to dispel the Indian representative's doubts concerning the reference to the "necessary school system" in the USSR amendment (E/CN.4/L.51/Corr.1) to the original article. The Indian representative seemed to have interpreted that term as the provision of school buildings, whereas that was but one of the many aspects of the system envisaged which also included instruction, school programmes, financing, text books and equipment as well. In the light of that explanation the Indian representative might see her way to voting for the USSR text, which imposed more binding obligations upon States than did the original article.

The United States representative had argued that the phrase "and the suppression of all incitement to racial and other hatred" should be deleted from paragraph 7 of the original text on the grounds that the inclusion of such a provision would imply the imposition of censorship. Nevertheless, the

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negative provisions contained in the second sentence of that paragraph would be open to the same criticism if it were valid. Although that sentence contained the same elements as the sentence to which the United States representative objected, it was weaker than the provision for the suppression of racial hatred. The proposal for the deletion of that provision represented an attempt to retain a system of segregation and to instill the sense of racial discrimination into persons from their earliest childhood; every effort should be made to prevent the perpetuation of that evil.

Mr. BRACCO (Uruguay) did not agree with the United Kingdom representative that the text of paragraph 4 of the original article implied the inclusion of artistic education and would therefore insist on his proposal in document E/CN.4/L.61/Rev.1 that the word "artistic" should be inserted after the words "including technical".

The URUGUAY representative's fears that specific mention of physical education would be dangerous were unfounded; in view of the fact that reference was made to primary, secondary, higher and vocational education, there was no risk that specific reference to physical education would render the article too detailed.

The CHAIRMAN proposed that the Commission should vote first on the revised United Kingdom amendment (E/CN.4/L.85/Rev.1), then on the Lebanese sub-amendment (E/CN.4/L.96/Rev.1) and lastly on the original article.

Mr. BOARE (United Kingdom) pointed out that the substantive difference between his text and the Lebanese sub-amendment was not great and that the Lebanese text could properly be considered as an amendment to his amendment. The Chairman's ruling was for his protection, as his text had been submitted first, but he was prepared to waive his rights and suggested that the Lebanese text should be voted on first, on the understanding that three provisions of the United Kingdom amendment, the phrases "within appropriate limits of age" and "whose parents choose that they shall attend State schools" in paragraph 2 and the phrase "send their children at their own expense to" in paragraph 5 were voted on at the appropriate time with the Lebanese amendment. If that text was rejected, the United Kingdom amendment would still stand.

/Mr. KIRU

Mr. KIROU (Greece) suggested that, in view of the number of amendments and sub-amendments, the text of the original article should be taken paragraph by paragraph with the relevant amendments.

The CHAIRMAN stated that, if the United Kingdom and Lebanese texts were rejected, the Commission would vote on the original article. Nevertheless, in accordance with the rules of procedure, the United Kingdom and Lebanese texts had to be voted on first.

Mr. MOROZOV (Union of Soviet Socialist Republics) did not consider that the United Kingdom and Lebanese drafts were amendments properly so-called, but thought that they should be regarded as new proposals. The procedure for dealing with such proposals was to take them in chronological order; the text of the original article should therefore be voted on first.

Mr. KOVALENKO (Ukrainian Soviet Socialist Republic) stressed the fact that, irrespective of the titles of the United Kingdom and Lebanese texts, those drafts represented substitutions for the original article and were therefore independent proposals. That seemed to be confirmed by the fact that the Chairman referred to the Lebanese draft as a separate proposal, although it was called an amendment to the United Kingdom amendment.

The CHAIRMAN pointed out that the original article was not a motion moved by a government. There was no precedent for voting on a text handed down to the Commission before voting on radical amendments to it. The procedure he had proposed was preferable from the point of view of the rules of procedure, was more advantageous to the advocates of the original text and was in conformity with the precedents established in the Commission.

AMRI Bey (Egypt) thought that the Lebanese amendment in fact constituted a number of amendments to the separate paragraphs of the original article, with the exception of paragraph 3; the implication seemed to be that that paragraph should be deleted.

/Mr. KIROU

Mr. KYRCZ (Greece) agreed that a vote should be taken on the Lebanese and United Kingdom texts first, but thought that they could be taken paragraph by paragraph as amendments to the original article.

The CHAIRMAN pointed out that the Lebanese and United Kingdom texts had not been moved as substantive amendments to individual paragraphs, but as wholesale substitutions for the original articles 26.

Mr. AZKOUJ (Lebanon) thought that the Egyptian representative's statement served as proof of the fact that the Lebanese draft could not be regarded as a new proposal. In reply to the Greek representative, however, he pointed out that the importances of the Lebanese draft lay in its structure rather than in the modification of individual provisions. The United Kingdom representative had withdrawn his amendment conditionally; if the Lebanese draft was rejected, the United Kingdom amendment could be submitted again.

The CHAIRMAN did not agree that the United Kingdom text was no longer before the Commission. No proposal could be withdrawn conditionally.

Mr. MOROZOV (Union of Soviet Socialist Republics) proposed, as a compromise solution, that the United Kingdom amendment should be voted on first.

The CHAIRMAN put to the vote the proposal that the revised United Kingdom amendment (E/CN.4/L.85/Rev.1) should be voted on first.

The proposal was rejected by 8 votes to 5, with 5 abstentions.

The CHAIRMAN put to the vote the proposal that the revised Lebanese amendment (E/CN.4/L.96/Rev.1) to the revised United Kingdom amendment (E/CN.4/L.85/Rev.1) should be voted on first.

The proposal was adopted by 8 votes to 7 with 5 abstentions.

The CHAIRMAN called for a decision on the Polish amendment (E/CN.4/L.99) to the revised Lebanese amendment (E/CN.4/L.96/Rev.1) and put the first part of that amendment to the vote.

The first part of the Polish amendment was rejected by 10 votes to 8, with no abstentions.

/The CHAIRMAN

The CHAIRMAN put to the vote the Polish amendment replacing the second paragraph of paragraph I of the Lebanese amendment by the text of paragraph 7 of the original article 20.

Mr. BORATYNSKI (Poland) asked for a separate vote on the words "and the suppression of all incitement to racial and other hatred".

Mr. VALENZUELA (Chile) asked for a roll-call vote on that sentence.
A vote was taken by roll-call.

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

In favour: Belgium, Chile, China, Egypt, France, Greece, Pakistan, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yugoslavia.

Against: India, Lebanon, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia.

That sentence was adopted by 12 votes to 6 with no abstentions.

The CHAIRMAN asked the Commission to act on the whole of the text submitted by the Polish delegation as a substitution for the second paragraph of paragraph I of the Lebanese amendment (E/CH.4/L.96/Rev.1) and suggested that, for the sake of continuity, it should be introduced by the words "and recognize that education shall encourage..."

Mr. BORATYNSKI (Poland) accepted the suggestion.

Mr. AZKUL (Lebanon), speaking on a point of order, asked whether it was proper for the original text to be moved as a substitution for the Lebanese text. The Lebanese text contained some ideas, in particular those derived from the Belgian amendment (E/CH.4/L.95), upon which the Commission would have no chance to act if the Polish paragraph was adopted as a whole.

/Mr. HOARE

Mr. HOARE (United Kingdom) pointed out that the vote just taken showed that the majority of the Commission wanted the final text to contain a phrase which was not in the Lebanese amendment. That might result in some representatives voting for the Polish amendment, although in other respects they preferred the Lebanese text.

The CHAIRMAN observed that, while it would naturally be improper to move the whole of the original text as an amendment to an amendment to that text, it was perfectly legitimate to move part of it.

Mr. BACCIO (Uruguay), Mr. XIROU (Greece) and Mrs. ROGGEYFIS (United States of America) agreed with the Chairman's view.

Mr. AZEDUL (Lebanon) complained that, if the Polish amendment was adopted, it would be impossible to act on the amendments submitted to paragraph 7 of the original text.

The CHAIRMAN said that that was so, but the Commission could act on such amendments only in the way in which they had been moved. They could be put to the vote only if the Polish amendment was rejected.

The Polish amendment substituting paragraph 7 of the original article 26, with the addition of the opening words "and recognize", for the second paragraph of paragraph 7 of the Lebanese amendment (E/CN.4/L.96/Rev.1) was adopted by 12 votes to 6.

Paragraph 7 of the Lebanese amendment (E/CN.4/L.96/Rev.1), as a whole and as amended, was adopted by 13 votes to none, with 5 abstentions.

The CHAIRMAN asked the Commission to vote on the Polish amendment (E/CN.4/L.99) to paragraph II of the Lebanese amendment.

At the request of Mr. BOGATYNSKI (Poland) and Mr. MIRCZOV (Union of Soviet Socialist Republics), the CHAIRMAN said that the vote would be taken on each sub-paragraph separately and that sub-paragraphs (a), (b) and (c) would each be voted on in three parts, namely the opening phrase, the phrase "and that the State must ensure this right" and the concluding phrase. No division

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had been asked for sub-paragraph (d). He suggested that, for the sake of clearness, the paragraph should be introduced with the words: "It is understood" that phrase to govern each sub-paragraph.

Mr. BORATYNSKI (Poland) accepted that suggestion.

The first phrase of sub-paragraph II (c) was adopted by 11 votes to 6, with 1 abstention.

Mr. HOARE (United Kingdom) asked whether he would have an opportunity of moving his amendment (E/CN.4/L.85/Rev.1) affecting that paragraph and reading "within appropriate limits of age"; it seemed only fair that he should be able to do so, as it had been decided that the relevant parts of his text might be moved as amendments to the Lebanese text.

The CHAIRMAN said that the United Kingdom amendment could be put to the vote only if the Polish amendment, which had been moved as a substitution for the Lebanese text, was rejected as a whole. The United Kingdom representative had had ample opportunity to submit his amendment to the original text in the form of an amendment to the Polish text.

The phrase "and that the State must ensure this right" in sub-paragraph II (a) was rejected by 8 votes to 7, with 3 abstentions.

The concluding phrase in sub-paragraph II (a) was not adopted, 8 votes having been cast in favour and 8 against, with 2 abstentions.

Sub-paragraph II (a) of the Polish amendment (E/CN.4/L.77), as a whole and as amended, was adopted by 13 votes to 5.

The first phrase of sub-paragraph II(b) was adopted by 12 votes to 6.

The phrase "and that the State must ensure this right" in sub-paragraph II(b) was rejected by 8 votes to 7, with 3 abstentions.

The concluding phrase of sub-paragraph II(b) was not adopted, 8 votes having been cast in favour and 8 against, with 2 abstentions.

Sub-paragraph II(b) of the Polish amendment (E/CN.4/L.99), as a whole and as amended, was adopted by 12 votes to 6.

The first phrase of sub-paragraph II (c) was adopted by 12 votes to 1 with 1 abstention.

The phrase "and the State must ensure this right" in sub-paragraph II (c) was rejected by 9 votes to 7, with 2 abstentions.

The concluding phrase in sub-paragraph II(c) was rejected by 9 votes to 7, with 2 abstentions.

Sub-paragraph II (c) of the Polish amendment (E/CN.4/L.99), as a whole and as amended, was adopted by 12 votes to 6.

Sub-paragraph II(d) of the Polish amendment (E/CN.4/L.99) was adopted by 12 votes to 4, with 2 abstentions.

Mr. MIKOU (Lebanon) said that a comparison of the Polish amendment as it had been amended and the Lebanese proposal to which it was being moved as a substitution would readily show that the former text was much the weaker.

Paragraph II of the Polish amendment (E/CN.4/L.99), as a whole and as amended, was adopted by 10 votes to 8.

The CHAIRMAN invited the Commission to act on paragraph III of the Lebanese amendment (E/CN.4/L.96/Rev.1). The Lebanese representative had accepted the following alterations of his text: the insertion of the words "when applicable" between commas after the words "parents and..."; the insertion of the word "legal" between the words "the" and "guardians"; and the phrase "such minimum educational standards as may be laid down" in place of "the minimum educational standards prescribed". The French text should read: "liberté.....de choisir" in lieu of "droit.....de choisir".

Mr. HOARE (United Kingdom) proposed that the phrase from his amendment to article 26 (E/CN.4/L.65/Rev.1) "send their children at their own expense" should be substituted for the words "choose for their children".

Mrs. ROOSEVELT (United States of America) asked that a separate vote should be taken on the words "the" and "of orphans", so that the phrase
/would read,

would read, if they were rejected, "and, when applicable, legal guardians to choose....".

Mr. BOARD (United Kingdom) observed that, at least in his country, the phrase "legal guardians" was a tautology.

Mr. VALDEZUELA (Chile) asked that a separate vote should be taken on the words "and, when applicable, legal guardians".

Mr. JEVRAHOVIC (Yugoslavia) asked that the word "religious" should be put to the vote separately.

The United Kingdom representative's oral amendment was rejected by 7 votes to 3, with 7 abstentions.

The words "the" and "of orphans" were rejected by 4 votes to 3, with 11 abstentions.

The words "and, when applicable, legal guardians" were adopted by 6 votes to 2, with 10 abstentions.

The word "religious" was adopted by 12 votes to 1, with 5 abstentions.
Paragraph III of the Lebanese amendment (E/CN.4/L.56/Rev.1), as a whole and as amended, was adopted by 17 votes to none, with 1 abstention.

After a brief procedural discussion, the CHAIRMAN called for the vote on the Lebanese amendment (E/CN.4/L.56/Rev.1) as a whole and as amended.

The Lebanese amendment as a whole and as amended, was adopted by 9 votes to 5, with 4 abstentions.

Mr. AZKOUH (Lebanon) explained that, although he was the sponsor of the amendment, he had voted against it in its amended form because, in the view of his delegation, the resulting text was considerably weaker than the original and very much weaker than the Lebanese amendment in its original form. The original Lebanese text had not, for example, contained the word "progressively" nor "shall be encouraged as far as possible". There was no

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obligation, direct or indirect, in the Polish amendment just adopted. The Polish, USSR and Ukrainian delegations and all others which had voted for those parts of the Polish amendment which had strengthened the original text had now voted for a text far weaker than it had been.

Mr. MEROZOV (Union of Soviet Socialist Republics) explained that, although the final text was very much weaker than he could have wished it to be had voted for it because that had been the only way in which the original text, with all its deficiencies, could be saved from the attack of those delegations which had wished to weaken it still further. The main fault of the final text was that it did not declare that the State must ensure the right; he would do his best to have the missing phrase restored at a future stage. He regretted the rejection of some excellent ideas which the Polish delegation had reproduced from those brought forward by the USSR delegation at the previous session. The Lebanese representative's attitude was somewhat curious, because he had in fact voted against all the Polish proposals to strengthen the original text.

Mr. BRACCO (Uruguay), speaking on a point of order, wondered whether the third Uruguayan amendment (E/CN.4/L.61/Rev.1) could not be treated as an addition, and so be voted on.

The CHAIRMAN regretted that it could not be so treated, because it had not been moved as an amendment to the Lebanese amendment.

Mr. BRACCO (Uruguay) intimated that he might request a vote on whether his amendment could be voted upon.

The CHAIRMAN said that the Commission must decide that, but that, in his own view, action on article 2^d had been completed.

The meeting rose at 6.15 p.m.