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Held at Headquarters, New York,
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<u>Chairman:</u>	Mr. CAHILL	France
<u>Reporteur:</u>	Mr. WHITLAM	Australia
<u>Members:</u>	Mr. NISOT	Belgium
	Mr. SANTA CRUZ	Chile
	Mr. CHENG PACHAN	China
	Mr. GHORDAL	Egypt
	Mr. KIROU	Greece
	Mrs. MEHTA	India

Members: (continued)

Mr. WAREED	Pakistan
Mr. BORATSKY	Poland
Mrs. RÜSSEL	Sweden
Mr. KOVALENKO	Ukrainian Soviet Socialist Republic
Mr. MORZOV	Union of Soviet Socialist Republics
Mr. HOARE	United Kingdom of Great Britain and Northern Ireland
Mr. SIMSARIAN	United States of America
Mr. FORTZLA	Uruguay
Mr. JEVREMOVIC	Yugoslavia

Representatives of specialized agencies:

Mr. PICKFORD	International Labour Organisation (ILO)
Dr. INGALLS	World Health Organization (WHO)

Representatives of non-governmental organizations:

Category B and Registrar:

Mrs. ALETA)	Catholic International Union for Social Service
Mr. Jo BRUCE)	
Mr. MOSKOWITZ	Consultative Council of Jewish Organizations
Mr. PELLA	International Association of Penal Law
Mr. AVRAM	International Bureau for the Unification of Penal Law
Dr. SOUDAN	International Federation of Business and Professional Women
Miss ROSE	International Federation of University Women
Miss SCHEFFER	International Union of Catholic Women's Leagues
Mr. DAVES)	World Jewish Congress
Mr. PERICONEIC)	
Mr. JACOBY)	
Mr. ROALDS)	World Union for Progressive Judaism
Mrs. POLSTEIN)	
Mr. HUMPHREY	Director, Division of Human Rights
Miss KITCHEN)	Secretaries of the Commission
Mr. IAS)	

Secretariat:

/DRAFT

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION:
PART II OF THE DRAFT COVENANT CONTAINED IN THE REPORT OF THE SEVENTH SESSION
OF THE COMMISSION (E/1992, Annex I and Annex III, Section A; E/CN.4/529,
E/CN.4/529/Add.1; E/CN.4/L.166, E/CN.4/L.122, E/CN.4/L.130, E/CN.4/L.140,
E/CN.4/L.160, E/CN.4/L.176, E/CN.4/L.177, E/CN.4/L.178, E/CN.4/L.179, E/CN.4/L.180,
E/CN.4/L.181, E/CN.4/L.182) (continued)

Article 3 (continued)

Mr. WHITLAM (Australia) recalled that article 3 had been discussed at the fifth and sixth sessions of the Commission and in each case a text produced with which no one was entirely satisfied. After considerable discussion of the opening formula adopted at the fifth session, the Commission had on the basis of competing texts adopted the formula "everyone's right to life shall be protected by law". The suggestion had been made that the word "arbitrary" should be introduced (E/CN.4/L.176). He recalled that a similar expression had been inserted in the present article 6, although there had been differing views as to whether it meant illegal or unjust or both illegal and unjust. The question had finally been postponed after an inconclusive debate.

A further serious problem was the difficulty of finding equivalents and adequate translations of legal concepts which were fundamental to certain systems of law, yet were absent or existed in different forms in others.

The United Kingdom proposed (E/CN.4/L.140) commended itself to the Australian delegation because the systems of the two States were almost identical in that respect. An opposing and persuasive proposal had however been submitted by Chile and the United States (E/CN.4/L.176). In order to find suitable equivalents for the different legal concepts, some study of the various proposals should be made by those acquainted with the various systems of jurisprudence with a view to reconciliation and agreement on appropriate though differing expressions in the various languages.

A vote on the competing texts now before the Commission would be unsatisfactory even to the majority. Opposition to the drafting of so important a right as the right to life would carry over to other articles and result in way

limited acceptance of the covenant. It would therefore be advisable for the sponsors of the various proposals to consult together and seek to evolve a compromise text which admittedly would not satisfy everyone but which would at least be more acceptable to the majority.

The CHAIRMAN, speaking as the representative of France, stressed the fundamental importance of article 3 and noted that the Commission had before it three approaches to the article on the right to life, each with great advantages and disadvantages. He agreed with the representative of Australia that conciliation was essential.

The first approach, embodied in the USSR proposal (E/CN.4/L.122), had the greatest appeal because it was closest to the Sixth Commandment and allowed only one exception to the right to life. Despite its sentimental appeal, the USSR text was unsuitable in a legally binding covenant requiring serious and enforceable undertakings by States because that text could not be observed in practice even by a State acting in good faith. The USSR text made no provision for self-defence, national security or other important considerations which must be taken into account. The French delegation was therefore unable to support the USSR proposal.

The joint Chilean-United States amendment (E/CN.4/L.176) to the USSR text was inadequate because, as had been rightly pointed out, the word "arbitrarily" provided a loophole. In the final analysis it was impossible, as the USSR sought, to restore the text adopted at the fifth session and rejected at the sixth session.

The second approach, contained in the United Kingdom proposal (E/CN.4/L.140), had the advantage of stating precise commitments forthrightly. Its great disadvantage was that it resorted to enumeration which could never be exhaustive. Cases might arise which were not covered by that text although the actions of a State in such cases might be fully justified. Most States, for example, prohibited illegal entry into restricted and dangerous areas and authorized guards, in extreme cases, to fire at persons trying to force an entry. If the United Kingdom method of enumeration were approved, some States might be reluctant to adhere to the covenant.

/The third

The third approach, between the two extremes, was that of the French delegation, which considered that the present text of article 3 was acceptable though open to improvement. It had the merit of allowing exceptions but limiting them to three important principles. That text which careful study showed to be the least objectionable of all should be taken as a basis. Various proposals for its improvement had been submitted. The French delegation accepted the United Kingdom proposal to insert the word "intentionally" in paragraph 2. In fact either that word or "voluntarily" would serve to convey the idea that intentional murder was a grave crime. The United States amendment to paragraph 2 (E/CN.4/L.120) using the word "justifiable" was acceptable in English, but in the French version should read "légitime" or "justifiable". If that change was made, the French delegation would support the United States amendment.

Referring to the Indian amendment, (2/1972, annex III A), he said that "légitime défense" was acceptable in the French text and that the English version could be adjusted to convey the same idea, in greater detail, if necessary. Such treatment would make it possible to maintain paragraph 2 representing a highly desirable compromise position.

Referring to the Yugoslav amendment to paragraph 3 (E/CN.4.L.178), he noted that France had ratified the Convention on the Prevention and Punishment of the Crime of Genocide and that it had no difficulty in accepting the Yugoslav amendment. Even if that amendment was not adopted, the French delegation considered that the Convention on Genocide would be safeguarded by the text of article 18 in its revised or its original form. It should be made clear that the covenant was a general application of the Universal Declaration of Human Rights while the Convention on Genocide represented a specific application.

Mr. MOUTYNSKI (Poland) objected to the concept of self-defence in article 3. While that concept was accepted in the penal codes of many States, it was always very exactly defined and circumscribed by precise conditions. Article 3 containing a reference to self-defence without qualification seemed to enunciate the right to kill rather than the right to life. Precise responsibilities must be set forth in connexion with the important right to life.

/Referring

Referring to the United Kingdom proposal (E/CN.4/L.140) he stated that paragraph 2 (c) relating to the use of force in quelling a riot or insurrection left the door open to misinterpretation and abuse. Exercise of the right of association, the right of assembly or the right of self-determination had in some countries been interpreted as rioting. Moreover there was no indication who was to judge what constituted a riot.

The Commission should exclude all legally objectionable or poorly defined terms from article 3.

Mr. WAHEED (Pakistan) said that the delegation of Pakistan had not submitted amendments to article 3 because it was not seriously dissatisfied or perturbed with the present text. Two types of amendments had however been submitted by other delegations: one category modified the existing text while the other proposed substitutions for article 3. The aim in all cases was to protect the right to life.

The United Kingdom and USSR proposals were competing texts and, in view of the influence of the British legal system on traditional law, in which the system of enumeration prevailed, the delegation of Pakistan would have no difficulty in accepting in principle the United Kingdom amendment. In an international instrument however, it preferred a more general formulation which did not list details and exceptions. If the covenant was to be acceptable to a majority of the Member States of the United Nations, no preference for one system of jurisprudence should be shown. The article should be drafted in the broadest terms, avoiding technical details and complexities and refraining from enumeration which could not in any case be exhaustive.

The general formulation contained in the USSR proposal with the joint Chilean-United States amendment met the situation adequately unless a more integrated text could be evolved through synthesis. The USSR text, subject to the joint amendment, had the merit of avoiding over-generalization, stressing conformity with the law and consistency with the Universal Declaration of Human Rights.

Misgivings about the abrogation of the Convention on Genocide must be allayed. Article 3 should in no way nullify that Convention or lend itself to the interpretation that there were two conventions on the same subject.

Article 3 should be amended to make it clear that the two instruments were separate and that the covenant article related to the individual's right to life.

Mr. KIROUJ (Greece) commended the French representative's analysis of the three approaches to article 3 and agreed with the representative of India that it seemed preferable to adhere to the formulation approved at the sixth session. He noted that the Commission was dealing with the articles on civil and political rights for the sixth time and that, while re-examination was essential, the danger of deterioration of the text must be carefully avoided. It would be preferable to use the text approved at the sixth session as a basis and attempt to improve it as far as possible.

The Greek delegation was prepared to accept the word "intentionally" as proposed by the United Kingdom and would also support the United States amendment relating to "justifiable action". He agreed with the French representative that the Yugoslav amendment was perhaps unnecessary but should be included in view of the tragic events of World War II and the post-war period. In view of the fact that not all Member States of the United Nations had ratified the Convention on Genocide, it might be preferable in the Yugoslav amendment to refer to "the principles enunciated in the Convention on Genocide".

The Greek delegation would vote in favour of the French amendment (E/CN.4/L.150) calling for deletion of the word "crimes" in paragraph 4 because under Greek law also amnesty referred not to individuals but to categories of punishable acts.

He wished to ask the representative of India who would be the judge of the gravity of the "civil commotion" referred to in her amendment. The Greek delegation was prepared to support that amendment subject to clarification of that point.

Mr. SIMSARIAN (United States of America) said in reply to the USSR representative that the proposal contained in the joint United States and Chilean amendment (E/CN.4/L.176) restated the revised text adopted at the Commission's fifth session. The purpose of that revision had been to limit the provision to serious crimes. He agreed to incorporate the words "principles of"

Before the

before the words "Universal Declaration," as suggested by the USSR representative

With regard to the United Kingdom amendment (E/CN.4/L.140) to the original text, he pointed out that the United Kingdom representative himself had admitted that certain other categories of exceptions might be included. The enumeration of those exceptions in the United Kingdom text was by no means exhaustive and indeed could not be so. It was essential to draft the article in more general terms. The French representative had rightly pointed out that the USSR and United Kingdom amendments represented two extremes; the USSR amendment (E/CN.4/L.122) contained the declaratory and unrealistic statement that "no one may be deprived of life" and the United Kingdom amendment represented an inadequate attempt to introduce detailed provisions. It was therefore advisable to take the middle course, which could be achieved by introducing the word "arbitrarily" as was proposed in the joint United States and Chilean amendment. The use of that word had been considered at the sixth session and had been adopted for inclusion in article 6 by ten votes to two with two abstentions.

Mr. SANTA CRUZ (Chile) did not agree with the French and Greek representatives that the original article represented a middle course between the extreme positions contained in the USSR and United Kingdom amendments. The original text, even with the inclusion of the Indian amendment (E/1990, annex II, section A), was merely another way of stating the United Kingdom provisions and was equally unsatisfactory.

Neither the concept of self-defence or of the defence of persons, property or State could be deemed to include all the possible reasons for attempts against another person's life. Self-defence, in his opinion, was constituted exclusively by a person's defence of himself, and not by the defence of other persons, property or State. The Indian representative had tried to bridge the gap between the two notions by her amendment, but the defence of persons, property or State did not cover the provisions of the civil codes of all countries. The Chilean penal code, for example, protected persons who were acting in defence of rights, such as their own freedom or that of other persons.

/The French

The French representative had tried to overcome the difficulty by giving a wide scope to the word "intentionally". The Spanish interpretation of that word, however, differed from the French idea, according to which intention included the capacity of having an intention. Under the law of certain Latin American countries, intention was an ingredient of the crime itself; the responsibility of the offender did not follow directly once intention was established. If a crime existed, the intention must exist, but a number of other prerequisites had to exist before criminal responsibility could be established. It was therefore obvious that national legislations differed with regard to extenuating circumstances and that the right to life had to be interpreted in accordance with those legislations. The original article, which in fact contained only one legitimate excuse for taking a life, was therefore most dangerous.

The purpose of the article was to safeguard life by laying down the State's responsibility to the individual, as had been stated in the USSR amendment (E/CN.4/L.122), which would be further improved by the inclusion of the word "arbitrarily", since that idea included both the Indian definition of self-defence and the reference to justifiable action in the United States amendment (E/CN.4/L.150).

Mr. MVALEVED (Ukrainian Soviet Socialist Republic) did not consider that the United Kingdom amendment (E/CN.4/L.140) was acceptable, since in effect it provided for cases in which people could be killed legally. He agreed with representatives who had opposed that amendment on the grounds that an enumeration of exceptions could not be exhaustive. The United Kingdom amendment, moreover, touched on extremely delicate questions which could not fail to give rise to strong protests, especially in view of the adoption of an article on self-determination. The reference to quelling riots and insurrections in paragraph 2 (c) was very dangerous, as might be seen from certain historical examples of widespread bloodshed in quelling insurrections.

He agreed with the Chilean representative that the French concept of self-defence was unduly elastic, since it could be interpreted to include such matters as French action in Madagascar, Morocco and Indo-China against the indigenous population of those countries. The French representative had referred to the Sixth Commandment by taking the middle course proposed by that representative, however, the Commission would be adopting a reservation to that commandment and would in fact be adding a new commandment which might read "Thou shalt kill in certain cases".

/s/ Mr. FORTEZA

Mr. FORTIÑA (Uruguay) regretted that the debate had developed into a discussion of limitations of and reservations to the right to life. Capital punishment had been abolished in Uruguay many years previously and representatives of that country had remonstrated against the death penalty at many international conferences. He could not accept the original article or any of the amendments thereto because they embodied a principle which he considered to be barbarous. If the article must contain a reference to the death penalty, he would vote against it.

Mr. MOJZIZOV (Union of Soviet Socialist Republics) emphasized that the USSR amendment was based on the text adopted at the fifth session, with the inclusion of the best provisions of the article adopted at the sixth session. His delegation had made that amalgamation of the two texts in order to achieve a draft which would be acceptable to the majority of the Commission.

He was prepared to consider any amendments which would improve his text, but had not had sufficient time to study the joint United States-Chilean amendment (E/CN.4/L.176) or the Yugoslav sub-amendment (S/CN.4/L.179), and therefore asked that the vote on those texts should be postponed until the following day.

The CHAIRMAN agreed to postpone the vote and pointed out that the Yugoslav amendment (S/CN.4/L.178) to the original article had been submitted after the expiry of the time-limit set for 15 May. It was for the Commission to decide whether that amendment was acceptable.

Mr. JEVREMOVIC (Yugoslavia) did not think that the acceptability of his amendment was any longer in question, since there already was a Yugoslav amendment to the original article (E/1992, Annex III) which was submitted before the time-limit expired. It was therefore merely a case of an addition to that Yugoslav proposal.

It was decided that the Yugoslav delegation's amendment was in order.

Mr. HOARE (United Kingdom) thought it was clear from the Chilean representative's statement that the term "self-defence" was inadequate in the Spanish text of the article. That also applied to the English text, and it was therefore clear that neither the English speaking nor the Spanish speaking countries could accept the existing text.

/The reference

The reference to enforcement measures authorized by the Charter in the original article was also inadequate, since the Charter provided for collective defence as well as enforcement measures. In any event, the proper place for a reference to both those special cases was article 2.

In reply to representatives who had criticized the United Kingdom amendment, he agreed that the enumeration of exceptions he had proposed might not be exhaustive, but thought that specific provisions rather than a mere general phrase should be included in order to bind States to protect the individual; if the Commission accepted that approach, he thought the difficulties of enumeration could be overcome. As regards the inclusion of the word "intentionally", the juridical interpretation of that word would exclude the cases of persons who were deemed incapable of intentions and were consequently absolved of responsibility. The English sense of the word also covered cases where no intention could be proved, but responsibility existed. The difficulty was one of language and could therefore be overcome, since the general conception represented in the text by the word "intentionally" was common to all systems of law.

Paragraph 2 (c) of the United Kingdom amendment had been criticized because it was too outspoken. It was essential, however, to envisage the possibility of riots occurring and thus of using force in certain cases. The Indian representative in her amendment had equally acknowledged the fact that violence did sometimes occur and that people were killed in riots. The United Kingdom amendment provided a safeguard for action to be taken in such cases by including the word "lawfully" and by the reference to the use of no more force than was necessary. On the other hand, none of the other texts proposed contained any restrictions against the quelling of riots, and they would leave complete and unfettered liberty to the State in that connexion.

Mrs. MEHTA (India) did not consider that much progress had been made and thought that the Commission should return to the original article. The effect of the Indian amendment would be to clarify the term "self-defence" in the original text and to paraphrase the French term "defense légitime", which apparently could not be translated adequately into English.

In reply to the Greek representative, she stated that it would be for courts to decide on the existence of a grave civil commotion.

She approved of the United States amendment (E/CN.4/L.130) to the original article and suggested that it might be added to her amendment.

/Mr. GHERBAL

Mr. GEORGI (Egypt) agreed with the Indian representative that, in view of the shortcomings of the various proposals, the Commission might well return to the original text. He could not vote for the United Kingdom amendment (E/CN.4/L.140) as it stood, because it was open to unduly wide interpretation and would serve to restrict the rights set forth in the Universal Declaration.

He doubted the advisability of adopting the United States amendment (E/CN.4/L.130); his delegation had not objected to the use of the term "self-defence" at the sixth session, but the notion of "similar justifiable action" seemed to be unduly elastic, since justifiable action was not always lawful.

He would vote for the joint United States and Chilean amendment (E/CN.4/L.176), but if that was not accepted, he would welcome a return to the original article.

Mr. MOROZOV (Union of Soviet Socialist Republics) thought that the arguments adduced against the United Kingdom proposal (E/CN.4/L.140) and the Indian proposal (E/1992, annex III) were unanswerable and that a satisfactory text could be obtained only by combining the texts drawn up by the Commission at its fifth and sixth sessions, and possibly incorporating the joint Chilean-United States amendment (E/CN.4/L.176).

The CHAIRMAN, speaking as the representative of France, said he could not support the Indian proposal because an authorization to take life in defence of property would be wholly contrary to the spirit of the covenant. He might be able to support the United States proposal (E/CN.4/L.130). In the French penal code the meaning of "légitime défense" was quite clear: it applied to "homicide, coups et blessures" resulting from pressing need for self-defence.

Mr. JEVREMOVIC (Yugoslavia) said that the principle embodied in the Yugoslav amendment to paragraph 4 (E/1992, annex III) had already been accepted in most penal codes; that fact spoke in its favour. The reference to the Genocide Convention in paragraph 3 which he had proposed (E/CN.4/L.176)

/was necessary

was necessary in order to prevent the abuse of judicial procedures to instigate or condone the crime of genocide. The addition to that amendment suggested by the Greek representative did not seem necessary. He agreed with the arguments levelled against the United Kingdom proposal (E/CN.4/L.140). For purely juridical reasons he could not accept the word "intentionally". A crime might be committed without malice aforethought or intent. The notion of "attempts" was tantamount to dolus eventualis, which could include killing without intent to murder. In Roman Law there were many types of dolus, including dolus eventualis and dolus specialis. Intent was too narrow a concept to cover all aspects of culpability. At the present stage of the discussion he could not come to a final conclusion about the joint Chilean-United States amendment (E/CN.4/L.176); the idea inherent in the word "arbitrarily" was very wide and might be open to abusive interpretation. He would support the French amendment (E/CN.4/L.160); acquiescence was granted; it could not be sought.

Mr. SANTA CRUZ (Chile) regretted that it would be impossible to find a Spanish term to cover all the statutable exceptions on which most members agreed, because there was no such general term in Spanish law. In Spanish law, which was based on the system known as juicio en derecho, not the jury system, the statutory exceptions were very carefully and strictly defined and listed and the judge decided the degree of guilt in accordance with that list.

The CHAIRMAN, speaking as the representative of France, observed that taking life without criminal intent was not punished as a crime in any country. The question was whether the United Kingdom representative was thinking of taking life in any circumstances or of a serious crime punishable under the penal code.

Mr. JEVREMYIC (Yugoslavia) could not agree. Dolus eventualis covered cases in which there was no intent actually to kill, but in which a criminal act was committed with full knowledge that it could cause the death of another person, even if the person committing it had no such direct intention.

/Mr. SANTA CRUZ

Mr. SANTI CRUZ (Chile) said that the French representative's statement was yet another example which proved the impossibility of finding a single term to fit the different systems of law. Acts leading to the taking of life might, in Chilean law, be either crimes or offenses or even misdemeanours. The distinction was drawn in accordance with the penalty; crimes were acts for which the penalty was imprisonment for more than five years.

Mr. NISOT (Belgium) wondered whether the use of the word "crime" was the same in paragraphs 2 and 3. It seemed to be used in the technical sense in paragraph 3 but in a general sense -- as in "a crime against humanity" -- in paragraph 2. That could be brought out in the French text by substituting the word "intentionnellement" for the words "sans crime". He would submit an amendment (E/CN.4/L.182) to that effect. He did not see exactly how that could be rendered in the English text.

Mr. BOARE (United Kingdom) said that it had already been done in the United Kingdom text (E/CN.4/L.140): "no one shall be deprived of his life intentionally".

Mr. KYROU (Greece) said that he had always thought that the word "crime" in paragraph 2 should be construed in a general and moral sense and had therefore supported the United Kingdom text.

The CHAIRMAN, speaking as the representative of France, said that, on further consideration, he could no longer support the United Kingdom text, because it had been shown that the word "crime" in paragraph 2 was very broad in scope and embraced all aspects of "atteinte".

Mr. BOARE (United Kingdom) noted the divergence between the English and French texts of paragraph 2 (E/1952). He had substituted the phrase embodying the word "intentionally" in order to prevent the purely accidental taking of life from being classified as a criminal offence.

/s/ Mr. MCKROZOV

Mr. MERZLOV (Union of Soviet Socialist Republics) said that the intricate detail into which the Commission was being compelled to enter showed that no satisfactory text could be reached in that way. The Commission should bear in mind that the covenant was being drafted for people who had not listened to the discussion and, in any case, a wording that would require laborious reference to the Commission's record or voluminous explanatory footnotes would be virtually useless. It was quite obvious that no matter how much the Commission tried to explain that the word "crime" did not mean a crime, everyone outside the Commission would still believe that the word meant what it said. Paragraph 2 as it stood was self-contradictory: it began by saying that to take life was a crime and went on to authorize the taking of life in certain circumstances. The United Kingdom amendment (E/CN.4/L.140) and the French delegation's arguments were also open to that objection.

Mr. SANTA CRUZ (Chile) protested that the Commission was not simply engaged in splitting legalistic hairs. The debate itself showed the need for a general rather than a detailed wording.

Mr. NORCOZOV (Union of Soviet Socialist Republics) replied that he had not meant to criticize any member of the Commission; he wholeheartedly agreed that the debate itself showed the impossibility of entering into unduly complicated attempts at specifying statutory exceptions in detail.

Mr. ROAFS (United Kingdom) thought that the detailed debate had borne out his contention that the United Kingdom proposal warranted more thought than the USSR proposal, which contained provisions that no State could apply, or the joint Chilean-United States amendment, the purport of which was extremely vague.

The CHAIRMAN thought that some of the confusion might be due to the fact that the English and French texts of the article (E/1902) appeared to diverge considerably. Some attempt at better concordance should be made before the article was put to the vote. The USSR representative might be correct in thinking that it would be better to eliminate such ambiguous words as "crime".

/Mr. NORCOZOV

Mr. MOKULOV (Union of Soviet Socialist Republics) did not think that the word "crime" in itself was ambiguous, but an attempt was being made to give it ambiguous connotations.

Mr. GUEBAL (Egypt) wished to amend the United Kingdom proposal (E/CN.4/L.140) by the insertion of the word "competent" before "court" and the addition of the words "not contrary to the Universal Declaration of Human Rights" at the end of paragraph 1.

Mr. HOARE (United Kingdom) accepted the insertion of the word "competent", but thought that the Egyptian representative's second amendment was ineffective and unnecessary, for the reasons he had already given.

Mr. GEORGE (Egypt) said that he would submit that phrase as a separate amendment (E/CN.4/L.141).

The CHAIRMAN reminded the Commission that the debate had not yet been closed and that the submission of amendments to amendments was still in order.

The meeting rose at 5.45 p.m.