



COMMISSION ON HUMAN RIGHTS

Eighth Session

SUMMARY RECORD OF THE THREE HUNDRED AND TWENTY-NINTH MEETING

Held at Headquarters, New York,
on Tuesday, 10 June 1952, at 10.30 a.m.

CONTENTS:

Draft international covenants on human rights and measures of
implementation (E/1992; E/CN.4/528, E/CN.4/116, E/CN.4/L.138,
E/CN.4/L.161) (continued):
article 1 (continued)

<u>Chairman:</u>	Mr. CASSIN	France
<u>Rapporteur:</u>	Mr. WHITLAM	Australia
<u>Members:</u>	Mr. NISOT	Belgium
	Mr. VALENZUELA	Chile
	Mr. CHENG PAONAN	China
	Mr. GHORBAL	Egypt
	Mr. JUVIGNY	France
	Mr. KAPSAMBELIS	Greece
	Mrs. MEHTA	India
	Mr. AZKOUL	Lebanon

Members: (continued)

Mr. WAHEED	Pakistan
Mr. BORATYNSKI	Poland
Mr. ROSSEL	Sweden
Mr. KOVALENKO	Ukrainian Soviet Socialist Republic
Mr. MOROZOV	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. JEVREMOVIC	Yugoslavia

Representatives of non-governmental organizations:Category B:

Mrs. de BROECK	Catholic International Union for Social Service
Mrs. SOUDAN	International Federation of Business and Professional Women
Miss ROBB	International Federation of University Women
Mr. PENCE	World's Alliance of Young Men's Christian Associations
Mr. RONALDS) Mrs. POLSTEIN)	World Union for Progressive Judaism

Secretariat:

Mr. SCHWELB	Representative of the Secretary- General
Miss KITCHEN) Mr. DAS)	Secretaries of the Commission

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION
(E/1992; E/CN.4/528, E/CN.4/116, E/CN.4/L.138, E/CN.4/L.161) (continued)

Article 1 (continued)

Mr. HOARE (United Kingdom) felt that article 1, paragraph 2, raised an important question of principle as it constituted a departure from the existing international practice in the matter of ratification by which States assumed the obligations of a convention from the moment of ratification. The Legal Department had recognized that practice in its note dated 28 May 1948 (E/CN.4/116). The question was whether an exception could be made in the case of

/human rights

human rights. The words "within a reasonable time" would permit States to delay the fulfilment of their obligations for a period which was left entirely to the discretion of each State. The United Kingdom delegation felt that the obligations deriving from the covenant on civil and political rights should be firm, clear and equally applicable to all. That would not be the case under the existing text of paragraph 2, and States which took steps before ratification to see that their legislation fulfilled the obligations of the covenant would be at a disadvantage in relation to those whose legislation did not. Indeed, States which were most advanced in that respect might be accused of violating their obligations by other States which themselves might if they wished assume those obligations only much later. Paragraph 2 meant in fact that States were entitled to maintain reservations concerning certain articles until their legislation had been modified accordingly. In that case it would be better clearly to provide for the possibility of reservations as was done in the United Kingdom amendment (E/CN.4/L.138) which deleted the present text of paragraph 2 and replaced it by a reservation clause. He had no intention whatever of asking the Commission to go into the entire problem of reservations to the covenant at the present stage; however instead of concealing the possibility of reservations, as in the present text, the Commission should face the fact squarely. States could not then use paragraph 2 as a pretext for delaying indefinitely the adaptation of their national law to the provisions of the covenant, while obtaining the credit for having ratified the covenant. Adoption of the United Kingdom amendment would make it possible to allow for those cases where there was some particular law which lagged behind the covenant; a reservation in respect of such a law would be clearly stated and known to all other signatories.

Mr. NISOT (Belgium) did not believe that the United Kingdom representative was asking for paragraph 2 to be deleted since no one knew whether the Covenant would have an article on reservations and, if so, what its contents would be.

Mr. JUVIGNY (France) thought that the solution of the problem raised by the United Kingdom representative would affect the fundamental idea of the covenant and its future. The United Kingdom representative, basing himself on many precedents, had adopted the orthodox attitude to international commitments, according to which States did not ratify or adhere to a treaty until their legislation had been brought into line with the provisions of that treaty. That was also the system adopted in France. In accordance with that attitude, a State could make reservations on special clauses in a treaty if they were at variance with its national legislation.

/That attitude

That attitude should not, however, apply in the case of the covenant which was an instrument sui generis. Unlike ordinary conventions, the covenant covered such a vast field that no State could claim its legislation to be in complete harmony with all its provisions. The covenant could not enter into force unless it was ratified by many States. If ample provision were made for reservations, as the United Kingdom representative suggested, national legislation might become static, so that the covenant would lose its dynamic force. By virtue of the reservations, States would be released from certain obligations and whole parts of the covenant might thus be left inoperative for an indefinite period. Paragraph 2 as now drafted avoided those difficulties. The system for which it provided would be ineffective only if the covenant remained a declaration and were not brought under collective international control. If every State were left free to give its own interpretation to the words "within a reasonable time", the system proposed by the United Kingdom would be more honest and effective. If, however, the interpretation of those words was left to the international community, on the basis of periodic reports on the application of domestic measures, the difficulties would disappear. That was why the French delegation would vote in favour of paragraph 2 as it stood without prejudging the question whether reservations could be made to the covenant in accordance with the General Assembly's instructions.

Mrs. ROOSEVELT (United States of America) opposed the United Kingdom proposal (E/CN.4/L.138). The question of reservations should not be considered at the present stage, since it was scheduled to be taken up after the question of measures of implementation. She noted that the United States delegation had submitted a proposal concerning reservations.

Point 3 of the article proposed by the United Kingdom was incomplete; a similar proposal had previously been rejected by an overwhelming majority of the Commission. The present text of article 1, paragraph 2, should be maintained.

Unlike the United Kingdom representative, she did not think that adapting domestic legislation to the covenant before ratifying it was in accordance with

/current

current international treaty requirements. It seemed impossible to say, before the covenant came into force, whether some national legislation was or was not in conformity with it. In the United States a Supreme Court decision might in some cases be necessary for that purpose. The conclusions of the Legal Department dated 28 May 1948 (E/CN.4/116) contradicted the United Kingdom representative's affirmation that the system he proposed was in conformity with international requirements since according to them "Even though such changes in domestic legislation may be required they need not take place before ratification or accession -- unless of course the treaty itself so provides". The provisions of a treaty could be so complex that they could be implemented over a long period of time only, and sometimes judicial decisions were necessary to reveal discrepancies between the provisions of the treaty and existing legislation.

She also preferred the present text of paragraph 3(b) to the United Kingdom amendment to it, as it gave States a free choice in the matter of recourse.

Mr. HOARE (United Kingdom), replying to the French and United States representatives, said that it was clear from the Legal Department's opinion (E/CN.4/116) that according to international practice States were free to determine in what manner they would secure compliance with the obligations of a convention, but contractual obligations came into force at the time of ratification, and if it so happened that they could only be secured by provisions of law, then the law must accord with the obligations at the moment of ratification. Paragraph 2 was an exception to that principle; if it represented normal practice, it was pointless. It made the covenant a declaration, which was precisely what the French representative wished to avoid. A requirement of reporting, concerning the usefulness of which he was not satisfied on general grounds, could not take the place of definite obligations which in international law arose out of ratification. None of the arguments presented had altered the United Kingdom's position.

He noted, with reference to the Belgian representative's statement, that paragraph 2 already constituted an indirect reservation to the covenant. He agreed that the question of reservations should not be considered at the present stage. Consequently he asked the Commission to postpone its decision on paragraph 2 until that question was examined.

/Mr. MOROZOV

Mr. MOROZOV (Union of Soviet Socialist Republics) considered that article 1, paragraph 2, made no provision for reservations to the covenant. It was true that the wording was not perfect and the expression "within a reasonable time" was anything but precise. He regretted that the United Kingdom representative had agreed to the inclusion of still vaguer wording in the covenant. Whatever its defects, paragraph 2 did provide that each State accepted the obligation set forth in paragraph 1 and undertook to adapt its legislation to the provisions of the covenant within a normal time. The purpose of the United Kingdom proposal was to abolish that obligation. The question of reservations was quite another matter and should not be considered until later.

Mr. NISOT (Belgium) said that in international law legislation ensuring the execution of a treaty by a State should in principle come into force simultaneously with the treaty's entry into force for that State. He concluded therefore that paragraph 2 should be kept. The fact that it contained the words "within a reasonable time" would enable the covenant to be ratified since States could thus apply gradually, by means of temporary measures, those provisions which would offer insuperable obstacles if they had to be brought into force at once.

Mr. AZKOUL (Lebanon) thought the article proposed by the United Kingdom (E/CN.4/L.138) was based on the same considerations as those underlying the text of article 1, paragraph 2. Some delegations considered that paragraph an improvement on paragraph 1. Mr. Azkoul, on the contrary, thought that paragraph 1 provided for an immediate undertaking on the part of States to respect and guarantee the rights recognized in the covenant. If that were indeed so, States could ratify the covenant only if they were in a position to implement those rights from the moment of ratification. But under paragraph 2, States would, in fact, be allowed a time limit within which to implement certain provisions of the covenant. That paragraph was therefore a step backward when compared with the immediate undertakings provided for in paragraph 1 and contained a clause very close to the idea of reservations.

/The question

The question was whether the Commission wished to give States the possibility of not carrying out all the provisions of the covenant from the moment they ratified it.

Those who were not willing to grant States that possibility, were stipulating that each State should first take the necessary measures to bring its national legislation into line with the provisions of the covenant, and should then implement it immediately upon ratification. The Lebanese delegation shared that attitude. Paragraph 2 was, in fact, only an authorization which States would be able to invoke with impunity in order to defer at will the implementation of certain provisions of the covenant. The Lebanese delegation was therefore in favour of the deletion of paragraph 2.

Other delegations were less categorical in their reactions and considered that while States which ratified the covenant should be required to implement all its provisions, they should first be allowed a reasonable time to bring their national legislation into harmony with the provisions of the covenant. That was the intention of the authors of paragraph 2.

The United Kingdom delegation adopted an intermediary position, according to which States would be allowed to make reservations, on signing or ratifying the covenant, in respect of any one of its provisions. That attitude would be reasonable if it were not for the nature of the covenant. The Lebanese delegation was opposed to any reservations concerning human rights. A reservation on such a subject implied that the State concerned was unwilling to assume the obligation to implement a right, confining itself to recognizing the right in a purely abstract way. In the case of a private convention or commercial treaty, reservations would be perfectly justified, but in the case of human rights, they were inadmissible.

The Lebanese delegation was therefore opposed to the draft text proposed by the United Kingdom. However, it was not satisfied with the expression "within a reasonable time" in paragraph 2. That was a vague conception, which might render the covenant inoperative. A state might confine itself to recognizing civil and political rights and the abstract need to implement them, without ever making them a practical reality. In such circumstances it would be difficult to blame that State for not implementing the covenant, as it could always allege that the reasonable time had not yet expired.

/He suggested

He suggested two possibilities: the Commission could either itself fix the time within which the covenant would become absolutely obligatory for all States, or it could leave to each State the responsibility for fixing it at the time of ratification; in the latter case no State would dare to allocate to itself an excessive period of time, for fear of shocking its own public opinion or that of other countries. He therefore proposed the addition to paragraph 2, after the words "within a reasonable time", of the words "to be fixed by each of the States Parties to the Covenant in its instrument of ratification or adherence".

Mrs. MEHTA (India) pointed out that as the question of reservations had not yet been discussed, she did not think it desirable to adopt a text on the lines of the United Kingdom proposal (E/CN.4/L.138). Moreover, her delegation was opposed to reservations affecting the implementation of human rights. With regard to the Lebanese representative's suggestion, it would be difficult to decide what a reasonable length of time would be. Consequently, the Indian delegation was in favour of the present text of paragraph 2 and opposed to amending it before considering the question whether States would be allowed to make reservations. Any decision by the Commission on paragraph 2 was subject to the examination of the question of reservations.

Mr. WHITLAM (Australia) said his delegation was in favour of the United Kingdom proposal concerning paragraph 2 (E/CN.4/L.138). He shared the Indian delegation's view that the Commission could not examine paragraph 2 apart from the question of reservations. Article 1, paragraph 1, prescribed an immediate obligation; paragraph 2 indirectly reduced the force of that obligation and was equivalent to a reservation; the expression "within a reasonable time" must be made more definite. However, to fix the time by the method suggested by the Lebanese delegation would raise difficulties, for some States would wish to fix different periods for different provisions of the covenant, and in such circumstances, it would be difficult to achieve ratification of the covenant by all States. The United Kingdom proposal was a much more binding undertaking on the part of States. In any case, consideration of the Lebanese proposal and of paragraph 2 should be deferred until the question of reservations was considered.

/Mr. VALENZUELA

Mr. VALENZUELA (Chile) recalled that his delegation had stressed the difficulties involved in simultaneous examination of paragraph 2 and the question of reservations. The tendency to examine limitative clauses in the light of precedents in international instruments was liable to make the Commission lose sight of the universal nature of the covenant and the obligations it imposed upon States in the matter of human rights. It seemed preferable to postpone any discussion on the admissibility of reservations in that connexion. From the legal point of view the United Kingdom representative's observations were justified, in the light of the intention expressed in paragraph 2. The question was whether it would be better to postpone consideration of paragraph 2, which was bound up with the question of reservations, or immediately to take a decision upon it, with the addition proposed by the Lebanese delegation. The Chilean delegation agreed with the Indian representative that it was difficult, at the present stage, to take a decision on the Lebanese proposal. Accordingly it proposed that the Commission should postpone examination of the question of reservations until it had studied the measures of implementation; and that it should proceed to accept the present text of paragraph 2, confining itself to indicating in its report what was meant by "a reasonable time", making clear that the length of that time would be fixed by States when ratifying the covenant.

Mr. BORATYNSKI (Poland) agreed with the Soviet Union delegation that the question of reservations had nothing in common with the obligation of the States to implement the provisions of the covenant. He reserved his delegation's right to state its attitude regarding reservations.

Mr. JEVREMOVIC (Yugoslavia) stated that his delegation could not agree to any reservation to a covenant on human rights. The United Kingdom representative had pointed out that such reservations were essential because of the legislation in effect in some States. He considered that, with the provision in paragraph 2 of article 1 for a reasonable delay, nothing stood in the way of those States ratifying the covenant. The expression "within a reasonable time" was not specific, but that did not entitle a State to make reservations that would enable it to keep unaltered those provisions of its national legislation that were not in harmony with those of the covenant.

/With regard

With regard to the Lebanese proposal, he was of opinion that it was for the international community to determine, if need be, the reasonable period of time to be granted to States.

Mrs. ROOSEVELT (United States of America) was unable to accept the French amendment (E/CN.4/L.161), the first item of which proposed the deletion of the words "within their territory" in paragraph 1 of article 1. The Commission had considered that expression necessary so as to make it clear that a State was not bound to enact legislation in respect of its nationals outside its territory. Moreover, she wondered whether the point of the amendment relating to sub-paragraph 3 (c) was not merely a matter of translation. The text of the sub-paragraph as it stood appeared to be better than the version proposed by France.

She took the view that consideration of the question of reservations should be deferred and hoped that the Commission would take an immediate decision on the present text of paragraph 2, which must certainly find a place in the covenant. The expression "reasonable time" was not usually taken to imply an indefinite period of time.

Mr. GHORBAL (Egypt) considered that the object of the covenant was to impose definite obligations upon States; the effect of the reservations would be to cancel them out by giving it the character of a mere declaration. As the United Kingdom representative had pointed out, however, some countries obviously could not accept all the obligations of the covenant. In such cases, it would be better if the countries concerned did not ratify the covenant. The United Kingdom delegation itself had in mind, in paragraph 2 of its draft article (E/CN.4/L.138), the idea of a reasonable delay, as the text provided that a State might at any time withdraw its reservations. The Egyptian delegation therefore opposed the United Kingdom amendment, taking the view that consideration of the question of reservations should be deferred.

Mr. CHENG PAOWAN (China) was of opinion that the United Kingdom amendment raised the question of the admissibility of reservations to multilateral conventions. The International Law Commission had studied that question and found

/that the

that the practice regarding reservations varied widely among States. It would not, in fact, be advisable to include a provision on reservations in article 1. The Commission had to take three preliminary decisions: 1) whether reservations should be permitted at all in the two draft covenants; 2) if so, whether reservations should be permitted to all the articles of the two draft covenants and 3) whether the opinion of the International Court of Justice on the Convention on Genocide should be taken into account.

It would be better to adopt article 1 as a general article, drafting a separate article on reservations later.

Mr. AZKOUL (Lebanon) explained that the sole object of his proposal that States should be allowed to fix the period of time provided for in paragraph 2 was to narrow down the possible scope of the expression "reasonable time". It would be for the Commission on Human Rights or any other competent body to appraise whether the number of years fixed by a given State was reasonable.

Although it was too late to make a formal proposal, he would have liked to propose either the deletion of the words "reasonable time" or their replacement by the words "a period of two years", or the addition of the words "to be fixed by each State Party hereto", or, lastly, the substitution of the words "as soon as possible".

Mr. NISOT (Belgium) said that the wording "within a reasonable time" offered an objective criterion and the interpretation given to it by a State could be appraised and rectified by an international tribunal. The latter, on the other hand, should respect the time-limit fixed by a State when acceding to the Convention, as the Lebanese proposal suggested.

Mr. BRACCO (Uruguay) felt that all possible effects of article 1 had been discussed; hence, he would merely state that his delegation preferred the text as it stood and would be unable to support any of the amendments.

Mr. HOARE (United Kingdom) was not asking for an immediate vote to be taken on his delegation's text (E/CN.4/L.138); nor need it necessarily take the place of paragraph 2. His delegation would merely like the vote on paragraph 2 to be postponed, because the paragraph dealt with a matter that was directly connected with the question of reservations.

/He wished

He wished to make it clear to the USSR representative that his stand in favour of the idea of instituting economic, social and cultural rights progressively and his opposite stand in respect of civil and political rights was explained by the profoundly different nature of the rights set out in the two covenants. In that connexion, deletion of the words "within a reasonable time" would not be a satisfactory solution; those words had been introduced with the object of restricting the freedom of the States Parties in that matter and their deletion would have the opposite effect by allowing States full latitude as to the time when they would adopt the necessary legislative measures to give effect to the rights set out in the covenant. The United Kingdom delegation, contrary to what had been said by the USSR representative, favoured the adoption of such legislative measures and considered that, in accordance with established international practice, they should be adopted before ratification of the covenant. He also wanted to clear up a misunderstanding by making it plain to the Egyptian representative that he thought some States were in a position to ratify and give effect to the covenant immediately. He wanted to stress that delegations opposed to reservations should, if they were consistent, also be against paragraph 2, by which the same result would be achieved indirectly. The United Kingdom amendment was an attempt to restrict reservations by prohibiting reservations of a general nature and more especially those aiming at the deletion of an article or group of articles.

He took the same view of the French amendment to paragraph 1 as the United States representative and would vote against it. A State could hardly undertake to ensure to nationals outside its territory the rights set out in the covenant since, for example, there were cases in which such nationals were for certain purposes under its jurisdiction, but the authorities of the foreign country concerned would intervene in the event of one of them committing an offence.

Mr. JUVIGNY (France) stated that the French amendment to paragraph 3 was purely a drafting one and doubtless affected only the French text. It was not possible to guarantee the enforcement of a remedy. It must be specified that it was a matter of enforcing the decision recognizing such appeal to be justified.

In paragraph 3 (b), several channels of appeal were provided, a choice being left between political, administrative or judicial authorities. Thus, the State was not bound by that provision to organize a judicial appeal system, although that was the only one offering real guarantees to the appellants. The French amendment therefore provided that States should undertake to develop their judicial systems without, however, imposing an immediate obligation to that effect.

The French amendment to paragraph 1 was designed to ensure that all individuals under a country's jurisdiction enjoyed equal rights, whether or not they were within the national territory of that country. The current text of paragraph 1 did not commit States in regard to their nationals abroad. The question raised by the United Kingdom representative was different, as persons who committed an offence abroad were tried by the courts of the country concerned and would enjoy the guarantees set forth in the covenant if that country had ratified it, or if the country's legislation provided for similar guarantees. The deletion of the words "within its territory and" would oblige States to ensure equal rights to all their nationals; for example, they would have to recognize the right of their nationals to join associations within their territory, even while abroad, and to observe, in regard to them, the principle of non-retroactivity of penal law in cases of judgment by default.

He was glad to note that the Lebanese representative had withdrawn his amendment to paragraph 2 which he would have been obliged to oppose since the Commission should not avoid the difficulty involved by setting an arbitrary time-limit. He thought that the solution of permitting each State to set its own time-limit, subject to international control, should be adopted, and he supported the Chilean representative's recommendation that the possibility of such a solution should be indicated in the Commission's report.

Mr. JEVREMOVIC (Yugoslavia) supported the French amendment. The amendment to paragraph 1 was legally justified as the words "within its territory and" and "subject to its jurisdiction" were not reconcilable; account must be taken, as regards jurisdiction, of the difference between the geographical and the legal territory. He also supported the French amendment to sub-paragraph 3 (b) as judicial remedy was preferable to any other remedy.

/Mr. VALENZUELA

Mr. VALENZUELA (Chile) moved closure of the debate.

It was so decided.

The CHAIRMAN put to the vote the French amendment to article 1, paragraph 1 (E/CN.4/L.161).

The amendment was rejected by 10 votes to 4, with 4 abstentions.

The CHAIRMAN put to the vote the original text of article 1, paragraph 1 (E/1992, annex I).

Paragraph 1 was unanimously adopted.

The CHAIRMAN put to the vote the United Kingdom representative's motion to postpone the vote on paragraph 2.

The motion was rejected by 8 votes to 5, with 4 abstentions.

Mr. AZKOUL (Lebanon) asked that a separate vote should be taken on the words "within a reasonable time" in paragraph 2.

The words "within a reasonable time" were rejected by 9 votes to 8, with 1 abstention.

The original text of paragraph 2, as amended was adopted by 11 votes to 3, with 4 abstentions.

The French amendment to paragraph 3, sub-paragraph (b) (E/CN.4/L.161) was adopted by 7 votes to 6, with 5 abstentions.

The CHAIRMAN said that as a result of the adoption of the amendment the drafting changes contained in the English text of document E/CN.4/L.161 would have to be adopted.

The United Kingdom amendment to paragraph 3, sub-paragraph (b) (E/CN.4/L.138) was rejected by 8 votes to 7, with 3 abstentions.

Mr. HOARE (United Kingdom) thought that the French amendment to sub-paragraph 3 (c) should apply to the French text only, as in English, the original formulation was preferable to that suggested in document E/CN.4/L.161.

Mrs. ROOSEVELT (United States of America) shared that view.

/Mr. MOROZOV

Mr. MOROZOV (Union of Soviet Socialist Republics) felt the same way with regard to the Russian translation of the French amendment, which seemed to be more limited in scope.

The CHAIRMAN noted that only the French text, which in its present form was legally incorrect should be amended and that it should read as follows: "a garantir la bonne suite donnée, par les autorités compétentes, a tout recours qui aura été reconnu justifié".

It was so decided.

The CHAIRMAN put to the vote paragraph 3 as a whole.

Paragraph 3 was adopted by 16 votes to none, with 2 abstentions.

Mr. NISOT (Belgium) had voted against article 1 because of the deletion of the words "within a reasonable time". That, as he had pointed out, would prevent very many States from ratifying the covenant.

The CHAIRMAN put to the vote article 1 as a whole as amended.

Article 1 was adopted by 13 votes to 2, with 3 abstentions.

Mr. CHENG FAONAN (China) had abstained in the last vote as he disapproved of the deletion of the words "within a reasonable time" which completely altered the implications of the paragraph.

Mrs. ROSSEL (Sweden) had voted in favour of paragraphs 1 and 3, but had abstained on paragraph 2 and article 1 as a whole as she wished to reserve her Government's right to re-examine those provisions in connexion with the question of reservations.

Mr. JUVIGNY (France) had voted for article 1, but he feared that the Commission had made a serious mistake by deleting the words "within a reasonable time"; that deletion might create a serious obstacle to the ratification of the covenant by some States which took their commitments seriously.

Mr. HOARE (United Kingdom) had voted against article 1 as he felt that paragraph 2 should be deleted; he did not agree with the Belgian representative concerning the interpretation of that paragraph. He also regretted the adoption of the French amendment to sub-paragraph 3 (b).

Mrs. MEHTA (India) had voted in favour of the article as a whole, but felt that the words "within a reasonable time" should be re-inserted at a later time.

Mr. KATSAMBELIS (Greece) said that his position was the same as that of India.

Mr. WHITIAM (Australia) had abstained as he believed that paragraph 2 should be re-examined when the Commission considered the question of reservations.

The meeting rose at 1.10 p.m.