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Chairman : Mrs. Ana FIGUEROA (Chile).

Draft international covenant on human rights and measures of implementation (A/1883, A/1884 (chapter V, section I), E/1992, E/2057 and Add.1 to 5, E/2059 and Add.1 to 8, E/2085 and Add.1, A/C.3/559, A/C.3/L.88, A/C.3/L.180, A/C.3/L.182, A/C.3/L.186 and Add.1 (continued)

[Item 29]*

JOINT DRAFT RESOLUTION SUBMITTED BY CHILE, EGYPT, PAKISTAN AND YUGOSLAVIA (A/C.3/L.182) (continued)

1. Miss BERNARDINO (Dominican Republic) made an appeal for harmony. In spite of the radical divergencies which had been evident from the beginning of the session, all delegations should make an effort to work together so as to enable the Committee to deal promptly with the draft resolution before it. She paid a tribute to the patience, tact, judgment and democratic understanding shown by the Chairman in carrying out her duties.

2. Mr. DEDIJER (Yugoslavia) said that in proposing that the General Assembly should state once again that civil, political, economic, social and cultural human rights formed an indivisible whole, the authors of the joint draft resolution (A/C.3/L.182) were not defending a standpoint or interests peculiar to themselves. They were defending the very principle upon which the United Nations was founded and which was the only possible basis for personal freedom. That was a social and political truth which was currently the paramount problem in every country and had been endorsed by the majority of the world public.

3. For that reason, the Economic and Social Council's resolution (384 C (XIII)) requesting the General Assembly to reconsider its decision had been condemned

during the Third Committee's discussions as unwarranted and anti-democratic, and as a stumbling-block to the slow but steady progress which was being made in drafting an international covenant on human rights.

4. The arguments adduced by the two sides might be summed up as follows. Those in favour of two covenants claimed that the system of implementation was different for the two categories of rights. That was a gratuitous assumption, which could not be proved because no system of implementation existed as yet and the countless proposals submitted showed that agreement was still far off. The same side also put forward a somewhat unusual argument, namely, that the French delegation had changed its attitude and was in favour of two covenants. The Yugoslav delegation recognized the right of every Member State to change its mind, but regretted that the French delegation had abandoned the true reformer's principle, recognized by the French Constitution of 1789, of the indivisibility of human rights.

5. The smaller countries felt anxious because they feared that a very dangerous precedent would be created if the needs of the moment received priority over the principles of the United Nations Charter. Four main arguments had been adduced by the supporters of a single covenant. First, it was claimed that a mechanical and academic formulation of fundamental human rights would weaken principles of the Charter of the United Nations and the Universal Declaration of Human Rights. Secondly, it was stated that there was a close link between the enjoyment of civil and political rights on the one hand and the enjoyment of the economic, social and cultural rights on the other. Thirdly, it was claimed that the argument based on implementation was not a reason for embodying the rights in two separate covenants. On the contrary, a judicious system of implementation was inconceivable unless those rights were combined and closely linked in a single instrument. If the system of implementation failed to take into account a country's economic circumstances, there

* Indicates the item number on the General Assembly agenda.

would be no purpose in the implementation of civil and political rights. Lastly, the system of implementation should be essentially such as to enable the international community to help under-developed countries to create conditions necessary to enable their inhabitants to enjoy human rights; it should not take the form of an instrument permitting the developed countries to undertake a punitive expedition against the under-developed countries.

6. Convinced that it was impossible, in the last analysis, to bar the road to the adoption of those ideas and principles, favoured by public opinion even in the countries which advocated two covenants, the Chilean, Egyptian, Pakistani and Yugoslav delegations attached no importance to the priority enjoyed under the rules of procedure by the Belgian, Indian, Lebanese and United States amendment, still less by the United Kingdom amendment, which represented a surreptitious attempt to introduce into the draft resolution a decision in favour of two covenants. History had frequently shown that reform always prevailed in the end.

7. He was sorry that some delegations had not been present during the general debate. He reviewed briefly the history of the question since 1947. He appealed to the delegations which had supported the Economic and Social Council's resolution and urged them not to impair the prestige of the United Nations by destroying one of the most important results achieved by it in the field of human rights. In the existing state of world affairs, the suggestion that a decision of the General Assembly might be revised was bound to undermine men's faith in the United Nations.

8. Mr. BAROODY (Saudi Arabia) did not propose to deal with the so-called amendments to the joint draft resolution (A/C.3/L.182). He still regarded them as new draft resolutions having for their sole object the nullification of the proposal to which they referred.

9. He deplored the tendentious statements, the attacks and counter-attacks to which the general debate had given rise and was sorry that even on the substance of the question the Committee had split into two groups.

10. The Saudi Arabian delegation favoured a single covenant. It did not see the use of reaffirming once again rights which were already proclaimed in the Bible, the Koran, Magna Carta, the United States Declaration of Independence, the Declaration of the Rights of Man and of the Citizen, and elsewhere. The sincerity of neither side was in doubt. He did not accuse the advocates of two covenants of insincerity, but feared they were refusing to be realistic and were too little concerned about what might happen in ten years' time.

11. It was paradoxical that the most highly developed countries should be those opposed to a single covenant. But they should not forget that they were living in revolutionary times, that half the population of the world was suffering privations, that there was a lack of food, clothing and housing. In such a situation the threat of rebellion and the menace of war were normal. That was why the highly developed countries should set an example by signing a single covenant. They should not forget that civil and political rights were valueless

if not accompanied by economic, social and cultural rights.

12. Supplies of raw materials must be increased and prices brought down, thereby raising the standard of living by increasing the quantity of goods available for distribution throughout the world. Such a policy would of course conflict with the interests of certain groups and cartels, which resisted any diminution of their profits and were reluctant to change their methods of production.

13. But people were becoming impatient and if they had to wait another twenty years before all the fundamental human rights were proclaimed and implemented, it might be too late, even to safeguard civil and political rights. Since 1914 the world had been passing through a crisis which had led to the rise of dictatorships and during which human rights had been violated almost everywhere. That situation could not be prolonged; it called for energetic measures. He wished therefore to put the Committee on its guard against the danger and urge it at least to banish the spectre of war and revolution.

14. Mr. MUFTI (Syria) observed that, in accordance with rule 128 of the rules of procedure, the amendment which he was proposing (A/C.3/L.219) to the joint draft resolution (A/C.3/L.182) should be considered and voted on in two parts; the first part should be considered at the same time as the joint draft resolution, whereas the second, concerning reservations, should be examined conjointly with the Guatemalan draft resolution (A/C.3/L.190), which also dealt with reservations.

15. His delegation had not changed its attitude on the joint draft resolution; it still favoured a single covenant. If any doubt had arisen in the minds of certain representatives on that point, it was solely because the Syrian amendment had been wrongly interpreted as a compromise, whereas it was only intended as a safeguard for future use by the advocates of a single covenant should they fail to carry the day in the current debate.

16. His reasons for submitting his amendment were as follows. To link the two covenants by demanding their simultaneous ratification involved the risk of considerable delay in the ratification of a single covenant on human rights which might unquestionably render great services, a risk which was all the greater in that early ratification of the covenant enshrining economic, social and cultural rights was still, judging by the statements made by many members of the Third Committee, problematical.

17. The Syrian amendment, by proposing a transitional stage, in its latter part at any rate, provided an opportunity for gradually improving the enunciation of economic, social and cultural rights, which were still developing, while the right to enter temporary reservations, justified by the existing texts, allowed States a certain freedom of movement and enabled them to bring about gradually, in accordance with well-defined programmes, conditions which would ensure, in successive stages, the enjoyment of economic, social and cultural rights. An over-rigid instrument, even if

backed by the noblest sentiments, might not stand up to the test of implementation.

18. There was nothing new about the method he was suggesting; it had been followed in many economic agreements, for example, in the Havana Charter for an International Trade Organization.

19. His amendment was also prompted by the idea that an attempt should be made forthwith to ensure that economic, social and cultural rights, on which the foundations of modern society rested, should from then on be built up as a bulwark against the troubles attendant upon international emergencies.

20. The Syrian amendment set out, lastly, from the simple and logical premise that civil and political rights were meaningless unless economic, social and cultural rights were guaranteed. Those who favoured two covenants seemed to forget that simultaneous ratification would link the two instruments together in all circumstances, good or bad, and that the fact of their being opened for ratification simultaneously would be no safeguard against the possibility of evading ratification.

21. Invoking rule 129, he proposed the following procedure: that the Third Committee should vote first on the amendment which had been submitted jointly by Belgium, India, Lebanon and the United States of America (A/C.3/L.185/Rev.1) and which proposed the preparation of two covenants to be opened for ratification simultaneously, that amendment being therefore in direct opposition to the joint draft resolution (A/C.3/L.182); next on the French amendment (A/C.3/L.192/Rev.2), which clearly recognized the principle of two covenants, though emphasizing their unity of purpose, and provided for similar measures of implementation; next on the United Kingdom amendment (A/C.3/L.188) which, while allowing that a separate covenant might be devoted to economic, social and cultural rights, implicitly recognized the principle of duality; and lastly, on the first part of the Syrian amendment, which was the nearest to the original joint draft resolution.

22. The Syrian amendment showed a very definite trend towards a single covenant and laid down that the adoption of a single covenant would depend upon a condition which could be considered as already fulfilled, to judge by the statements of those who had maintained that the formulation of economic, social and cultural rights would be a slow process and that they could only be applied in the distant future. That condition would be that the Commission on Human Rights—taking sides with those who favoured two instruments—considered that the preparation and ratification of a covenant dealing with economic, social and cultural rights was, to use the words of the Syrian amendment, "likely to delay needlessly the ratification of the covenant on civil and political rights", so that the need for a single instrument would be apparent.

23. That procedure had the advantage that in the event of the rejection of the amendment submitted by Belgium, India, Lebanon and the United States of America, it would relieve the Third Committee of the need to vote on other amendments and leave it with only the

joint draft resolution to consider. If, on the other hand, the amendment was adopted—that was to say, if the joint draft resolution was rejected—the other amendments might considerably improve it and offer a suitable safeguard for the future which might win the acceptance of those who preferred a single covenant.

24. If that procedure was not adopted, he would reserve his final attitude until the vote was taken and would then explain his vote.

25. Mrs. BEGTRUP (Denmark) thanked the Secretariat for its note (A/C.3/566), which showed that many of the rights included in the Universal Declaration of Human Rights were not included in the draft covenant. That merely proved the impossibility of including all rights in a single covenant. Denmark was in favour of two covenants and would maintain its position.

26. Moreover, the number of covenants was relatively unimportant compared with the measures to be taken by the governments represented on the Third Committee for implementing them at home, or the sincerity of the more favoured and ruling classes. The Saudi Arabian representative was not just in drawing so gloomy a picture of the future because the human rights might appear in two covenants; the essential point was that everyone should make sure that his Government worked for the implementation of human rights.

27. After the very long discussion covering all aspects of the question, the Third Committee should be able to proceed to the vote, so as to enable the Commission on Human Rights to go to work forthwith and show the world that the United Nations was really labouring for the good of mankind. Her proposal was not in the nature of a formal motion.

28. Mr. BAROODY (Saudi Arabia) asked for the right to reply later.

29. Mr. REYES (Philippines) recalled that during the general discussion (366th meeting) on the draft covenant the Philippine delegation had stated that the form of the covenant was less important than its substance and that what was essential was to define civil and political rights and economic, social and cultural rights clearly and to ensure that they were effectively protected.

30. The Philippine delegation considered that, for all its imperfections, the draft international covenant on human rights provided the basis for a solution which would be satisfactory both to the opponents and to the advocates of a single covenant. That solution would be to include the two types of rights in a single covenant but to lay down different implementation measures for each. It was appropriate to recall that the draft covenant envisaged a system of appeals in the case of civil and political rights, which were justiciable, and a system of periodic reports in the case of economic, social and cultural rights, which were not as yet justiciable.

31. His delegation remained convinced that that solution reflected accurately the views of the Third Committee; for, although the members had unanimously

recognized the equal importance and the interdependence of civil and political rights and economic, social and cultural rights, there had been a sharp difference of opinion on measures of implementation. In those circumstances the solution he proposed seemed to be more logical than the French amendment (A/C.3/L.129/Rev.2), which envisaged unity in the measures of implementation for all rights, upon which there was a divergence of opinion, but would divide the rights at the stage of formulation, upon which there was unanimity.

32. It had been the hope of the Philippine delegation that the compromise solution it proposed might receive the support of some of the advocates of two separate covenants. That hope had been disappointed, for the simple reason that most of the advocates of two covenants were not yet prepared to sign an international covenant on economic, social and cultural rights. Those delegations would have no objection to the Committee drafting two covenants, which would be adopted simultaneously and opened for signature at the same time, as proposed in the amendment submitted by Belgium, India, Lebanon and the United States of America (A/C.3/L.185/Rev.1), but they had served notice that for the present they could ratify only the covenant on civil and political rights. The joint amendment had therefore to be considered in that light.

33. If that amendment were adopted, it could be foreseen that the covenant on political and cultural rights would secure many more ratifications than the covenant on economic, social and cultural rights and that it would enter into force without delay, whereas the covenant on economic, social and cultural rights might not secure a sufficient number of ratifications and its entry into force might be delayed for an indefinite period. If it adopted the joint amendment (A/C.3/L.185/Rev.1), the Committee would only ensure the entry into force of one covenant, but the alternative was that it might not even be sure of having one covenant.

34. Although the Philippine delegation for its part would prefer all the fundamental human rights to be embodied in a single covenant, or failing that, in two covenants that would come into force at the same time, it would not vote against the joint amendment. The Philippine delegation believed that having one covenant would be preferable to having none at all.

35. If the joint amendment were rejected, the Philippine delegation would vote for the joint draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182). It was convinced that if the Commission on Human Rights proceeded with its work on the draft international covenant, even without new instructions from the General Assembly, it would in any case produce a covenant such as his delegation had suggested, that was to say, a single covenant providing for different measures of implementation for the two types of rights.

36. It would then be the responsibility of the advocates of two separate covenants to decide whether, their amendment having been rejected, they would persist in withholding their support of a single covenant.

37. The Philippine delegation's decision not to oppose the proposal that the covenant on civil and political rights should come into force before the covenant on economic, social and cultural rights did not in any way mean that it regarded economic, social and cultural rights as of lesser importance. It could not ignore the fundamental nature of those rights even if it wanted to, for one of the major problems confronting the Philippine Republic was none other than that of providing a stable basis for the civil and political rights already enjoyed by the people of the Philippines by ensuring them the full exercise of economic, social and cultural rights. The stability of the Government and the security of the people depended in large measure on the solving of that problem.

38. The problem, moreover, was not peculiar to the Philippines; it arose in all new democratic States, in Asia and elsewhere. It was that of ensuring that the individual should enjoy the fundamental economic, social and cultural rights without loss of his civil and political rights. If it was true that civil and political rights were rendered meaningless if those who enjoyed them were deprived of economic, social and cultural rights, it must not be forgotten that economic, social and cultural rights also became meaningless if they were secured at the expense of political and civil rights.

39. In certain parts of the world civil and political rights were still the subject of violations which gravely endangered international peace and security. For that reason the Philippine delegation considered that in the event of its being impossible to complete a single covenant, it would at least be necessary and highly useful for the covenant on civil and political rights to become an effective legal instrument.

40. There had been a tendency in the Committee to take civil and political rights for granted, to regard victory in that field as already won. It had not always been realized that the victory was by no means complete and that in some cases, far from progress having been made towards the full realization of political rights, ground had been lost.

41. With regard to the United Kingdom amendment (A/C.3/L.188), the Philippine delegation was surprised that Member States were to be asked for their views only if the principle of drafting two covenants were adopted. In its opinion such information would be useful even if the Commission on Human Rights were to draft only one covenant. The Philippine delegation would therefore abstain in the vote on the United Kingdom amendment.

42. Mrs. MARSHALL (Canada) said that her delegation would vote in favour of the amendment proposed by Belgium, India, Lebanon and the United States of America (A/C.3/L.185/Rev.1) to the joint draft resolution (A/C.3/L.182). Although her delegation had very real doubts as to whether the Commission on Human Rights would be able, at any rate at that time, to formulate a legally enforceable international instrument dealing with economic, social and cultural rights, it would not wish to stand in the way of an effort which some delegations believed offered a prospect of success. The Canadian representative had already explained

(369th meeting) that the inclusion of economic, social and cultural rights in the same covenant as the traditional civil and political rights would make it difficult, if not impossible, for quite a number of States to adhere to such a covenant. It had found no cause to alter that opinion, and it felt it was necessary to stress the paramount importance of enabling as large a number of States as possible to ratify whatever covenant or covenants were produced.

43. Although the Canadian delegation realized that it was an attempt to bridge the gap between the divergent points of view which had been expressed, it regretted that it could not support the French amendment (A/C.3/L.192/Rev.2). It did not feel that the measures of implementation proposed for economic, social and cultural rights were appropriate in the case of civil and political rights. It would have to abstain when that amendment was put to the vote.

44. She supported the United Kingdom amendment (A/C.3/L.188) and felt that the Commission on Human Rights, when it met again, should have at its disposal as many authoritative opinions as possible.

45. Her delegation would not support the Syrian amendment (A/C.3/L.219) which did not seem to add any essential factors to the joint amendment.

46. Mr. RIBAS (Cuba) said that when explaining its position on the form and scope of the covenant during the general debate (366th meeting), his delegation had made the point that civil, political, economic, social and cultural rights, being interdependent, formed a single whole. The division of fundamental human rights into two groups and the drafting of two covenants would only weaken the moral authority of the Universal Declaration of Human Rights, which would be split into two parts, since certain of the rights it set forth, namely, civil and political rights, would have contractual force, whereas the others would have only moral value.

47. His delegation would therefore support the joint draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182), which embodied the principles it had always defended, and which reaffirmed the decisions contained in General Assembly resolution 421 (V), section E.

48. It would vote against the joint amendment submitted by Belgium, India, Lebanon and the United States of America (A/C.3/L.185/Rev.1), which tended to nullify that decision.

49. Mr. ALFONZO RAVARD (Venezuela) said that his delegation had already (367th meeting) stated its opinion that the preparation of two separate covenants would be the best way of attaining the objective which the Third Committee and the General Assembly had in view, namely the effective observance of human rights.

50. In view of the fundamental difference between civil and political rights, on the one hand, and economic, social and cultural rights, on the other—a difference which affected also the measures of implementation for both categories—the problems connected with ratification would be simplified if the Committee decided to prepare two separate covenants.

51. In taking that view, his delegation did not underestimate the importance of economic, social and cultural rights. Nevertheless, it did not believe that the formulation of civil and political rights would be meaningless if unaccompanied by a formulation of economic, social and cultural rights; and it saw no reason to adopt an extreme point of view.

52. It would support the joint amendment (A/C.3/L.185/Rev.1) proposing the simultaneous submission of two covenants on human rights to be approved and opened for signature on the same date. Such a solution would be generally acceptable and would help to smooth away the difficulties encountered by the Commission on Human Rights.

53. The French amendment (A/C.3/L.192/Rev.2) did not add any fundamental factor, but reaffirmed the unity of the Third Committee's aim. The Venezuelan delegation would support it provided it was understood that in endeavouring to include the largest possible number of similar clauses in the two covenants, the Commission on Human Rights would not lose sight of the main objective, namely, the preparation of instruments which were satisfactory so far as their content was concerned. The French amendment should not be regarded as laying down any definite instructions, but rather as the expression of a recommendation.

54. The Venezuelan delegation had no objection to the United Kingdom amendment (A/C.3/L.188) but could not vote in favour of the Syrian amendment (A/C.3/L.219), which would deprive the Third Committee of some of its prerogatives and confer them on the Commission on Human Rights. It was useless to ask for a new opinion from that Commission, which had not opposed the drafting of two covenants.

55. Replying to a question by Mr. PAVLOV (Union of Soviet Socialist Republics), Mr. STEINIG (Secretary of the Committee) said that during the coming week the General Assembly would not take up, at a plenary meeting, the agenda items referred to the Third Committee. It was probable, but not certain, that they would be examined during the week between 28 January and 3 February. In accordance with established practice, the Third Committee would not meet while its report and draft resolutions were being examined by the General Assembly in order that members might attend the plenary meetings.

56. Mr. PAVLOV (Union of Soviet Socialist Republics) asked when the part of the Rapporteur's report dealing with the book, *The Refugee in the Post-War World*, would be submitted to the Committee.

57. Mr. AZKOUL (Lebanon), Rapporteur, replied that owing to the prolonged debate on the book, *The Refugee in the Post-War World*, and the very large number of meetings held by the Committee he had not had time to draft that part of his report as rapidly as he would have wished. He would do his utmost to submit it to the Committee as soon as possible, probably on Monday, 21 January.

58. Mr. NAJAR (Israel) defined the problems raised by the joint draft resolution (A/C.3/L.182).

59. The question which the Committee had to answer was whether the civil, political, economic, social and cultural human rights should be included in a single covenant or in two separate covenants, one devoted to civil and political rights and the other to economic, social and cultural rights. That was the only question which the Committee need answer at the moment.

60. During the general debate the Israel delegation had expressed regret (368th meeting) that members of the Committee had chosen that question for so sharp a division of opinion. At the current stage of the Committee's work, that was to say when the equal importance of civil, political, economic, social and cultural human rights had been explicitly recognized by all, the question on which divergency should have become manifest in the first place and which should have been definitely settled, was, which delegations accepted an international system of implementation and felt it to be essential and which had not yet made up their minds to accept international implementation and thought that it could be dispensed with. Without some implementation machinery a covenant on human rights could hardly be said to represent any real advance beyond the Universal Declaration of Human Rights adopted in 1948 (General Assembly resolution 217 A (III)).

61. While the primary responsibility for implementation fell on the various governments in their respective territories, the covenant would only represent an advance if it prescribed some international process. The questions which the Committee should have asked itself were how to organize that implementation so as to make it effective and acceptable to a large number of States and how to make it flexible enough to be adaptable to the evolution of human rights.

62. The implementation problem had by no means been exhausted; it had not even received sufficient consideration. Priority had been given to the somewhat theoretical question of the number of covenants to be drawn up. An academic classification of civil, political, economic, social and cultural human rights had apparently been regarded as the determining factor in the solution of the concrete problems to which the preparation of the covenant gave rise.

63. The only valuable classification was one directly based on the needs of implementation and bearing on all categories of human rights. It was the analysis of the implementation problem that should determine the classification to be adopted. For that reason the division of the covenant into two parts, one for civil and political rights, and the other for economic, social and cultural rights, did not seem to him to provide *per se* a necessary or inevitable solution of the implementation problem, and he continued to believe that such implementation was possible within the framework of a single covenant. His delegation had tried to make that point during the general debate, both in its draft resolution (A/C.3/L.193) and in its explanatory memorandum (A/C.3/565).

64. It would be most inadvisable to drop General Assembly resolution 421 (V); on the contrary that resolution should be completed. Hence, his delegation could not support the joint amendment (A/C.3/185/

Rev.1) but would vote for the draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182). If, however, the Committee accepted the joint amendment, his delegation would vote for the French amendment (A/C.3/L.192/Rev.2), without prejudice to its position on the joint amendment. With the same reservations, it would vote for the United Kingdom amendment (A/C.3/L.188) which embodied a suggestion which his delegation had put forward at the 368th meeting, on 13 December 1951. It would, on the other hand, vote against the Syrian amendment (A/C.3/L.219) which, despite the declared intention of its sponsor, would weaken the formal obligations contained in the joint amendment for the preparation and simultaneous approval of the two covenants envisaged.

65. Mr. KUSOV (Byelorussian Soviet Socialist Republic) recalled that his delegation's position on the number of covenants to be prepared had been explained (370th, 388th, 389th and 390th meetings) during the general debate and the discussion on procedural motions. It had urged the Committee not to reverse the decision taken by the General Assembly in its resolution 421 (V), section E, and had stressed the need for a single covenant.

66. Passing next to the joint draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182) and the counter-proposal made by Belgium, India, Lebanon and the United States of America (A/C.3/L.185/Rev.1), he observed that the latter could not be regarded as an amendment since it would overthrow the draft resolution it purported to modify and had been submitted in that form simply to secure consideration of it in conjunction with the joint draft resolution (A/C.3/L.182). The effect of the counter-proposal (A/C.3/L.185/Rev.1) would be to relegate economic, social and cultural rights to the background, contrary to the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights, which were based on the indivisibility of all rights. Even assuming that the two covenants envisaged were drafted and approved simultaneously (A/C.3/L.185/Rev.1) and that they contained similar provisions (A/C.3/L.192/Rev.2), the existence of two separate covenants would undermine the very foundations of civil and political rights and deprive them of a real force.

67. The designs of those who favoured two covenants, under whatever cloak they sought to disguise them, would be frustrated. Their object was plain: by arbitrarily splitting up human rights between two separate covenants, they were counting on adopting the first only with multifarious reservations and in the knowledge that the enjoyment of civil and political rights could not be assured since their very foundations would have been placed in jeopardy.

68. As for economic, social and cultural rights, they would merely talk about them, with the firm intention of withholding them so long as it suited their purpose to do so.

69. Those intentions emerged clearly from their statements. The United States representative had declared (360th and 388th meetings) that the chief argument in

favour of two covenants was that it would preclude a refusal to grant civil and political rights immediately upon the pretext that economic, social and cultural rights could not be granted until very much later, although it had been shown that the former would have no meaning without the latter. The Uruguayan representative had said (389th meeting) that it was of little consequence whether there was a single covenant or two, provided that all human rights were formulated.

70. But a covenant formulating all human rights would be useless if it could not be put into effect. Article 3 of the draft, enshrining the right to life, would be meaningless if there were people without the means of existence and if the absence of the requisite economic and social conditions prevented their enjoyment of those rights. Article 4 stated that no one should be subjected to torture, but the case mentioned at the previous meetings (387th, 391st and 392nd meetings) of the twenty-four citizens of Barcelona who had been imprisoned and threatened with death because they were struggling for their elementary rights showed that political rights did not exist without economic rights. Article 5, paragraph 3 (a) of the draft covenant stated that no one should be required to perform forced labour, but the starving unemployed could not choose the conditions of their employment. Those examples all showed once again that civil and political rights had no meaning unless based on economic, social and cultural rights.

71. The Lebanese representative had said (370th and 389th meetings) that he favoured the principle of the unity of rights; it was hard to understand then why he advocated their division between two instruments. As the Chilean representative had rightly observed (362nd

and 389th meetings), the existence of two separate covenants would allow governments to sign the first, without undertaking the slightest obligation in respect of economic, social and cultural rights, though their enjoyment was an indispensable prerequisite for the enjoyment of civil and political rights. The Danish representative had asserted (389th meeting) that all the rights in question were already assured by the laws of most of the countries which favoured two covenants; the Byelorussian representative asked why, if that was so, those countries denied the economically under-developed countries the opportunity to put them into effect. The reason was that they intended to grant such rights only as it suited their own convenience and had not the slightest intention of ensuring their enjoyment to their own peoples.

72. In those circumstances, the Byelorussian delegation would vote for the joint draft resolution (A/C.3/L.182) which took a clear stand against revision of General Assembly resolution 421 (V), section E. It would vote against the counter-proposal (A/C.3/L.185/Rev.1), which meant nothing but the nullification of the draft resolution it pretended to modify. It would also vote against the French amendment (A/C.3/L.192/Rev.2), which had a similar object in view but attempted to camouflage its objective. It would also vote against the United Kingdom amendment (A/C.3/L.188), proposing to submit the matter to a kind of referendum of Member States. If, on the other hand, the proposal made in document A/C.3/L.185/Rev.1 was approved, the Byelorussian delegation would vote for the first part of the Syrian amendment (A/C.3/L.219), which would leave some hope of preserving economic, social and cultural rights.

The meeting rose at 1.15 p.m.