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COMMISSION ON HUMAN RIGHTS

Sixth Session

SUMMARY RECORD OF THE HUNDRED AND SIXTY-FIFTH MEETING

Held at Lake Success, New York,

on Friday, 21 April 1950, at 3 p.m.

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

Members (continued):	Mrs. MEHTA	India
	Mr. MALIK	Lebanon
	Mr. MENDEZ	Philippines
	Miss BOWIE Mr. HOARE	United Kingdom of Great Britain and Northern Ireland
	Mr. ORIBE	Uruguay
	Mr. JEVREMOVIC	Yugoslavia

Representatives of non-governmental organizations:

Category A:	Miss SENDER	International Confederation of Free Trade Unions (ICFTU)
Category B:	Mrs. AIETA	Catholic International Union for Social Service
	Mr. NOLDE	Commission of Churches on International Affairs
	Mr. MOSKOWITZ	Consultative Council of Jewish Organizations
	Mrs. VANDENBERG Mrs. RYDH	International Alliance of Women
	Miss TOMLINSON	International Federation of Business and Professional Women
	Mr. BEER	International League for the Rights of Man

Secretariat:

Mr. SCHWELB	Assistant Director of the Division of Human Rights
Mr. LIN MOUSHENG Mr. DAS	Secretaries of the Commission

/DRAFT INTERNATIONAL

DRAFT INTERNATIONAL COVENANT ON HUMAN RIGHTS (ANNEXES I AND II OF THE REPORT OF THE COMMISSION ON HUMAN RIGHTS ON ITS FIFTH SESSION (E/1371)(continued)

Article 17 (E/CN.4/365, E/CN.4/433/Rev.2, E/CN.4/438/Rev.1, E/CN.4/440)

1. The CHAIRMAN drew the Commission's attention to the third point of the French amendment (E/CN.4/438/Rev.1) to paragraph 1 of the new text proposed for article 17 by the United States of America (E/CN.4/433/Rev.2), to the effect that the words "by any means he chooses" should be inserted after the word "expression".

2. Speaking as the United States representative, she thought it would be difficult to accept that insertion.

3. Mr. ORDONNEAU (France) was surprised by her statement. Since the United States amendment already contained the words "or through any other media", the French amendment would do no more than lay stress on the right to choose the medium.

4. The CHAIRMAN, speaking as the United States representative, agreed that the principle behind the two amendments was the same, but would prefer the words "he chooses" to come at the end of the sentence.

5. Mr. ORDONNEAU (France) did not object to that in principle, but pointed out that the resulting sentence would be poorly constructed. It was purely a question of style.

6. Miss BOWIE (United Kingdom) considered the words "by any means he chooses" to be an unsatisfactory English translation. Moreover, they served no purpose since freedom of expression obviously included the choice of means.

7. Mr. ORDONNEAU (France) observed that the United Kingdom representative merely objected to the translation of the words which the French delegation proposed to add to paragraph 1 but would seem to accept the principle of the amendment. If that were the case, the drafting of a more satisfactory English text could be left to the Drafting Committee. In any event, there was no difference between "est libre d'exprimer...ses idées" as proposed in the French text

(E/CN.4/365) and "a droit à la liberté...d'expression" as proposed in the United States amendment. There was disagreement as to style, not substance. It should be specified that if a person had the right to freedom of expression, that right could be exercised by whatever means he might choose. That was the object of the French amendment.

8. Mr. KYROU (Greece) agreed with the French representative that, if it was merely a question of wording, the matter could be left to the Drafting Committee.

9. The CHAIRMAN, speaking as representative of the United States, did not fully share that opinion. The question went beyond the competence of the Drafting Committee. The French amendment introduced a new idea, that of choice. She would therefore prefer that a vote should be taken on the text as submitted.

10. Mr. ORDONNEAU (France) would agree, as a compromise measure, to the insertion of the words "he chooses" at the end of the sentence.

The proposal was adopted.

11. The CHAIRMAN invited the Commission to consider point 4 of the French amendment to the revised text of paragraph 1 of article 17 proposed by the United States, namely the deletion of the words "without governmental interference". The United Kingdom had also drafted an amendment (E/CN.4/440) for those words, proposing to substitute for the words "without governmental interference" the words "without the imposition by the Government of any restrictions other than those which may be imposed in pursuance of paragraph 2." Should the Commission adopt the French proposal, the United Kingdom could introduce its amendment as a new text.

12. Miss BOWIE (United Kingdom) said the Commission should decide whether the restriction should be general or confined to governmental interference. If the decision were in favour of the latter course, the United Kingdom would then move its amendment.

13. Mr. ORDONNEAU (France) stated that the problem of freedom of information and of expression could not be dealt with in a general document without considering both of its aspects, namely respect for those freedoms by the State itself /and the

and the obligation incumbent upon the State to ensure respect for those freedoms. Should the Commission adopt either the United States or the United Kingdom text, article 17 would neglect the second aspect of the problem. The Commission had already been faced with the same difficulty when it had considered article 11, and it had then rejected the very same formula which France now wished to delete in article 17. A vote should first be taken on the question whether or not the Commission intended to leave aside the second aspect of the problem.

14. Mr. MALIK (Lebanon) agreed with the French representative that freedom of expression and of information should be absolute. He thougnt the United States text excellent provided it did not give rise to any exclusive interpretation. Mr. Malik wondered, in that connexion, whether the United States representative would not agree to add the words "or any other form of interference" after the words "governmental interference". Any other form of intervention would thus be prevented. Should the United States be unable to accept that suggestion, the Lebanese delegation would vote in favour of the French amendment. It would take the same position with respect to the United Kingdom amendment in which a similar change in substance, if not in the wording, should be made.

15. The CHAIRMAN, speaking as representative of the United States, recalled that the purpose of the United States amendment was to prevent governmental interference in the exercise of freedom of information and of expression. Other types of interference did, of course, exist but it would be difficult to expose or prevent them. The United States delegation therefore thought it had gone far enough and was unable to accept the addition of the words suggested by the representative of Lebanon.

16. Miss BOWIE (United Kingdom) shared the United States representative's view and could not agree with the French and Lebanese representatives. The Chilean and Chinese representatives were also opposed to the use of the term "governmental interference". The United Kingdom delegation would therefore abide by the text of its amendment which was explicit and linked the intervention of governments with the limitations mentioned in paragraph 2.

/17. The CHAIRMAN

17. The CHAIRMAN put to the vote point 4 of the French amendment to delete from the new text of article 17 proposed by the United States the words "without governmental interference".

That amendment was adopted by 8 votes to 5, with 1 abstention.

18. The CHAIRMAN submitted point 5 of the French amendment to the new text of article 17 proposed by the United States, namely to insert in the third line of paragraph 1 between the words "information" and "and ideas" the words " of all kinds, including facts, critical comment".

19. Mr. ORDONNEAU (France) explained that after the deletion of the words "of information and", decided upon at the previous meeting, it was necessary to explain the meaning of the word "information" in the third line of paragraph 1, as there were many different kinds of information. The French amendment had been proposed for reasons of clarity. Furthermore, the word "notamment" in the French text had the effect of limiting the list.

20. Mr. CHANG (China) said that the United States text should be more clearly defined. The text mentioned information and ideas, but those notions were not exclusive. He wished to know whether the French amendment, which made the text more specific, implied that critical comment should be deprecated. He thought it would be better to mention only facts and ideas.

21. Mr. ORDONNEAU (France) said that he considered the two terms complementary to each other. The former was positive in character, the latter negative. If it was a question of grading the terms, he attached no importance to their order of priority.

22. Mr. MENDEZ (Philippines) thought that the term "critical comment" implied action against someone or something. The word "information" had a broader meaning and was self-sufficient.

23. Mr. ORDONNEAU (France) accepted the Philippine interpretation but nevertheless thought it necessary to mention the types of information.

/24. Mr. MALIK

24. Mr. MALIK (Lebanon) saw no reason why the various kinds of information should not be specified, even certain terms might be duplications. Such duplication was already apparent in the original text.

25. Mr. WHITLAM (Australia) agreed that the types of information should be specified, but did not think it necessary to limit comment to "critical" comments alone; perhaps that adjective could be deleted.

26. Mr. ORDONNEAU (France) said that it was merely a question of language. Doubtless the word "comment" sufficed in English, but the word "appréciations" did not suffice in French. There was a considerable difference in meaning between the words "appréciations" and "appréciations critiques".

27. Mr. RAMADAN (Egypt) agreed with the representative of France. It was possible to comment without criticizing, and if the adjective "critiques" was deleted from the French text, the sense of the text would be altered.

28. Mr. WHITLAM (Australia) felt that if no French equivalent existed for the one word "comment" in the English text, it would be preferable to make no changes, since the French and English texts would be voted on together.

29. The CHAIRMAN, speaking as the representative of the United States of America, observed that in English the term "critical comment" implied an unfavourable comment. It need not, however, have that implication.

30. Mr. ORDONNEAU (France) explained that in French the word "critique" did not necessarily imply an unfavourable comment. A criticism could be favourable.

31. Mr. CHANG (China) remarked that if the Commission embarked upon an etymological discussion, the debate might be prolonged unduly. He proposed that separate votes should be taken upon the several parts of the French amendment; first, upon the inclusion of the words "of all kinds" ("de toute espèce"); then, if the French representative insisted, upon the words "including facts ("notamment des faits"); and lastly, upon the words "critical comment" ("des

appréciations critiques"). Further, if it was so desired, the Commission might vote upon the words "and ideas", appearing in the original text.

32. Mr. ORIBE (Uruguay) shared the opinion of the Chinese representative. The words "and ideas" in the United States text seemed to him superfluous. The word "information" was sufficient. He felt, therefore, that the words "and ideas" should be deleted from the United States text. Moreover, he thought that the expression "of all kinds" in the French amendment sufficed without the addition of the words "including facts, critical comment...".

33. The CHAIRMAN asked the representative of France whether he accepted the suggestions of the Chinese and Uruguayan representatives.

34. Mr. RAMADAN (Egypt) felt that the three elements, facts, ideas and critical comment, should all be mentioned, since they represented different concepts.

35. Mr. ORDONNEAU (France) thought the word "information" had differing connotations, and if it were taken by itself, its meaning was not precise enough. For that reason he had wished to designate specifically the sense in which it should be interpreted in the present context. Otherwise, it might be contended, for example, that critical comment did not constitute information.

36. The CHAIRMAN put to the vote paragraph 1 of the original text as modified, up to the word "information".

The text was adopted unanimously.

37. The CHAIRMAN put to the vote the first part of point 5 of the French amendment to the new text proposed by the United States of America, proposing the insertion of the words "of all kinds" after the word "information".

That part of the French amendment was adopted by 10 votes to 1, with 3 abstentions.

/38. The CHAIRMAN

38. The CHAIRMAN then put to the vote the second part of point 5 of the French amendment to the text proposed by the United States, proposing the insertion of the words "including facts" after the words "of all kinds".

That part of the French amendment was rejected by 6 votes to 5, with 3 abstentions.

39. The CHAIRMAN then stated that she would put to the vote the rest of point 5 of the French amendment, proposing the insertion of the words "critical comment" before the words "and ideas" in the third line of paragraph 1.

40. Mr. ORDONNEAU (France) said that since the Commission had rejected the second part of the text he had submitted, he preferred to withdraw the third and last part of point 5 of his amendment.

41. Mr. NISOT (Belgium) asked for the vote to be taken next on the words "and ideas" in the new text proposed for article 17 by the United States of America.

42. Mr. CHANG (China) wanted to know in what part of the sentence those words would be placed.

43. The CHAIRMAN said that since the Commission had already adopted the words "information of all kinds", the words "and ideas" could only follow after them.

44. Miss BOWIE (United Kingdom) did not agree and thought that expression would be more forceful if the words "and ideas" were placed between "information" and "of all kinds".

45. In the absence of any objection to that proposal, the CHAIRMAN put to the vote the proposal to insert the words "and ideas" between "information" and "of all kinds", so that the phrase would read "information and ideas of all kinds".

The proposal was adopted by 10 votes to 1, with 4 abstentions.

/46. The CHAIRMAN

46. The CHAIRMAN then asked the Committee to examine point 6 of the French amendment to paragraph 1 of the new text of article 17 proposed by the United States of America, namely the deletion of the words "regardless of frontiers" from the third line of the paragraph.

47. Mr. ORDONNEAU (France) said that in view of the difficulties which his proposal might cause, he would withdraw it. The words "regardless of frontiers" were, in any case, used in the Universal Declaration of Human Rights.

48. Mr. NISOT (Belgium) was inclined to approve the French representative's decision but wished to ask Mr. Malik, in his capacity as Rapportuer, to explain what exactly was meant by the expression in question.

49. Mr. MALIK (Lebanon) replied that the provision would enable anyone to seek information outside his own country. Governments should enforce and guarantee that right and should be ready to exchange information with other Governments.

50. The CHAIRMAN invited the Commission to consider the United Kingdom amendment (E/CN.4/440) to paragraph 1 of the revised text of the United States proposal for article 17.

51. Miss BOWIE (United Kingdom) gave an explanation of her amendment for the replacement of the words "through any other media" at the end of paragraph 1 by the words "by duly licensed visual or auditory devices."

52. The CHAIRMAN stated that she would put the United Kingdom amendment to the vote; if it were rejected the Commission would have to vote on the French amendment proposing that the words "he chooses" should be added after the words "through any other media".

53. Mr. CHANG (China) thought that the wording of paragraph 1 as proposed by the United States was satisfactory and that it would be dangerous to adopt the restrictive formula suggested by the United Kingdom.

54. Mr. ORDONNEAU (France) supported by Mr. NISOT (Belgium) agreed with the representative of China. The members of the Commission must take into account the fact that their work concerned the future and not the past; no one could foresee what information media would be employed in a hundred years' time.

/55. Miss BOWIE

55. Miss BOWIE (United Kingdom) asked whether the Commission would be ready to adopt a compromise solution and add the words:- "provided that shall not preclude the licensing by the State of visual or auditory devices" after the words "through any other media".

56. Mr. NISOT (Belgium) pointed out that the principle expressed in the United Kingdom amendment was already in article 17, paragraph 2.

57. Miss BOWIE (United Kingdom) remarked that that would depend entirely on the decision the Commission took with regard to paragraph 2; that principle might be contained in the United States formula, but it was not expressed in the United Kingdom text.

58. The CHAIRMAN, speaking as the representative of the United States, thought there was no need to be as precise as was the United Kingdom amendment.

59. Mr. ORIBE (Uruguay) was in complete agreement with the representative of the United States. In his opinion it would be contrary to the general principle of freedom of information, which the Commission was trying to establish, to adopt the restrictive formula proposed by the United Kingdom in paragraph 1.

60. Mr. MALIK (Lebanon) pointed out that the representative of the United Kingdom seemed to want to redraft paragraph 1 of article 17 on the assumption that the United Kingdom version of paragraph 2 would subsequently be adopted.

61. In his opinion, the restrictive formula proposed by the United Kingdom would be more in place in paragraph 2. He therefore suggested that Miss Bowie should withdraw her amendment on the understanding that she would resubmit it when the Commission considered the text of paragraph 2.

62. Miss BOWIE (United Kingdom) preferred her amendment to be put to the vote immediately. Though her idea was implicitly expressed in one of the texts suggested for paragraph 2, it was not covered in the other, and no one could tell which text would be adopted.

/63. Mr. MALIK

63. Mr. MALIK (Lebanon) pointed out that, if the United Kingdom amendment was put to the vote at once, it would in all probability be rejected altogether. It might therefore be preferable not to put it forward until the Commission was considering paragraph 2 or even until the second reading.

64. Miss BOWIE (United Kingdom) agreed that it might be better to wait until article 17 had been considered as a whole before putting the United Kingdom amendment to the vote and having to decide on the paragraph in which it should be incorporated.

65. The CHAIRMAN put to the vote paragraph 1 of the United States text (E/CN.4/433/Rev.2/Corr.1), together with the French amendment to add the words "of his choice" after the words "or through any other media."

That text was adopted unanimously.

66. The CHAIRMAN read the French amendment to insert between paragraphs 1 and 2 a new paragraph worded as follows: "Steps shall be taken to eliminate political, economic, technical and other obstacles likely to impair freedom of information".

67. Speaking as representative of the United States, she said she would be unable to vote for the amendment, firstly, because she felt that the phrase "political, economic, technical and other obstacles" was obscure and secondly, because the amendment was not couched in the legal form appropriate to a covenant.

68. Mrs. MEHTA (India) said she would be unable to vote for the French amendment for similar reasons.

69. Mr. ORDONNEAU (France) pointed out that the French amendment reproduced the terms of a paragraph in the draft convention on freedom of information. It was a matter of indifference to him whether the amendment was included in an article of the draft covenant or in the convention to be drawn up by the Commission at a later date.

70. Mr. ORIBE (Uruguay) suggested that the Commission might take a vote on the appropriate place for the French amendment.

/71. The CHAIRMAN

71. The CHAIRMAN was of the opinion that it would be difficult to do so in view of the fact that there was no certainty that there would, in fact, be a convention. It would therefore be preferable to put the French amendment to the vote.

The French amendment was rejected by 10 votes to 1, with 4 abstentions.

72. Mr. ORIBE (Uruguay) explained that he had voted against the French amendment, not because he was opposed to it in principle, but because he considered that its appropriate place was a convention on freedom of information and not a covenant.

73. The CHAIRMAN read the French amendment to paragraph 2 of the United States text to substitute the words "The freedoms referred to in paragraph 1 of the present article" for the words "The right to seek, receive and impart information and ideas..."

74. Mr. CHANG (China) considered that the United States text gave a narrower definition of the limitations provided by the law. The text of the French amendment was more concise but extended those limitations to freedom of information, which did not appear to be desirable.

75. Mr. ORDONNEAU (France) was prepared to withdraw his amendment in favour of the more literal wording proposed by the United States delegation.

76. The CHAIRMAN read out the United Kingdom amendment (E/CN.4/440) altering paragraph 2 of the United States text by the insertion of the words "carries with it duties and responsibilities and may therefore be subject to certain penalties, liabilities and restrictions provided by law, which are necessary".

77. Miss BOWIE (United Kingdom) said due stress should be laid on the duties and responsibilities implicit in seeking and imparting information and upon the fact that that entailed and justified the imposition of penalties and restrictions.

/78. Mr. MALIK

78. Mr. MALIK (Lebanon) was in favour of the principle advanced by the United Kingdom delegation; he freely acknowledged that the right to freedom of information necessarily entailed serious responsibilities. A comparison of the two texts proposed for paragraph 2, however, showed that the United States text stipulated that the right to freedom of information could be subjected only to such limitations as were provided by law and necessary in the interest of national security..., whereas the United Kingdom text merely stipulated that certain penalties should be attached to that right and therefore provided a less solid bulwark against possible impairment of freedom of information, in that it gave States greater latitude to impose penalties than he deemed necessary.

79. He doubted, therefore, whether the United Kingdom amendment was really an improvement on the United States text.

80. The CHAIRMAN, speaking as the representative of the United States of America, still thought the United States text was the better one. Other provisions in the draft covenant might entail duties and responsibilities; it would, therefore, be both unnecessary and dangerous to refer to those duties in one article only, when they were implicit in other articles.

81. Mr. ORDONNEAU (France) thought that the aim of the United Kingdom amendment was praiseworthy; he would be prepared to accept it if the idea could be inserted that the right to freedom of information could be subjected only to such limitations as were provided by law. If that were done, he would be glad to withdraw the French amendment proposing insertion of the words "penalties or liabilities" in paragraph 2.

82. Miss BOWIE (United Kingdom) said that her delegation's intention in proposing its amendment had certainly not been to give the State broader powers to impose limitations on the right to seek, receive and impart information and ideas. It might be possible to alter the proposed text by stipulating that the penalties, liabilities and restrictions should be limited both by law and the necessity for them

83. Mr. MENDEZ (Philippines) observed that the use of the words "penalties and restrictions" was not, in his opinion, very appropriate.

/84. Mr. MALIK

84. Mr. MALIK (Lebanon) said that the motives of the United Kingdom delegation in submitting its amendment had been most praiseworthy; it had endeavoured to emphasize the importance of the responsibilities entailed by the right to seek and transmit information and ideas. The members of the Commission themselves should feel a sense of responsibility and realize that freedom of information and expression should be guaranteed to everyone.

85. Mr. ORIBE (Uruguay) agreed with the United States representative that all the rights set out in the draft covenant entailed duties and responsibilities. He would be prepared to support the United Kingdom amendment, but suggested that the first part of that amendment, down to the word "responsibilities", should be voted on separately, after which the Commission should vote on the wording proposed by the United States delegation "and shall be subject only to such limitations..."

86. Mr. WHITLAM (Australia) asked the United Kingdom representative whether she would be prepared to accept the insertion of the word "special" before the words "duties and responsibilities" in view of the importance and special nature of the responsibilities entailed in imparting information and ideas by television, for example, or broadcasting.

87. The CHAIRMAN reminded the Commission that it had been unanimously agreed during the drafting of the Declaration of Human Rights that emphasis should be placed upon rights rather than upon duties and that it had therefore been decided that the question of duties and responsibilities should be dealt with in a single article, which had been placed at the end of the Declaration.

88. Mr. NISOT (Belgium) wondered why the United Kingdom had thought fit to mention at the beginning of paragraph 2 that "The exercise of these freedoms carries with it duties and responsibilities". He did not think it necessary thus to explain in a legal text what moral reasons lay behind the provision for certain penalties, liabilities or restrictions.

89. Miss BOWIE (United Kingdom) did not share the viewpoint of the Belgian representative. She thought it should be made clear that penalties or restrictions were provided for because the freedoms in question, by virtue of their very nature, carried with them special duties and responsibilities.

/90. Mr. RAMADAN

90. Mr. RAMADAN (Egypt) supported the opinion of the United Kingdom representative. The idea of duty and responsibility should be expressed; that was all the more obvious when the current state of mind and tendencies of a certain section of the press were considered.

91. He wished to draw attention to the statement he had made during the 163rd meeting and to point out that in the case of the press there did exist both a penal and a civil responsibility: the first arose from legislative provisions; the second was the consequence of the obligations incurred by the press in carrying out its work.

92. His delegation would support the United Kingdom amendment.

93. Mr. MENDEZ (Philippines) feared that the insertion of phrases such as that which occurred at the beginning of the second paragraph proposed by the United Kingdom might give the draft covenant the tone of a sermon. He did not think such a reminder of the duties and responsibilities of the press justified, for there was no reason for supposing that journalists did not have a sense of their responsibility; on the contrary, it would seem that complete confidence could be placed in them.

94. He thought it would be preferable to retain in the draft covenant the objective language proper to treaties.

95. Mr. MALIK (Lebanon) remarked that many legal texts included provisions such as the one proposed by the United Kingdom; the United Nations Charter and the North Atlantic Treaty contained many declarations of a purely moral nature. There was no question of preaching a sermon or casting doubt on the integrity of the press, as the Philippine representative maintained; the only aim was to recall that speech, or any other form of expression, was precious but might be a very dangerous thing.

96. He thought that the exercise of the profession which consisted in seeking, receiving and imparting information and ideas carried with it special duties and responsibilities of such a nature that it was advisable to recall them in the draft covenant.

97. Mrs. MEHTA (India) wished to point out that the text proposed by the United Kingdom was taken almost literally from article 2 of the draft convention on freedom of information (E/CONF.6/79). It could not be asserted that the Commission was "preaching" to the press, since it confined itself to repeating

what had already been proclaimed by experts on the subject.

98. She entirely shared the viewpoint of the Lebanese representative: freedom of information might give rise to abuse if not properly exercised; the duties and responsibilities incurred by all who were called on to make use of that freedom should therefore be emphasized.

99. Miss BOWIE (United Kingdom) was willing to add the word "special" to qualify the duties and responsibilities which accompanied the exercise of the freedoms in question.

100. She was opposed to the suggestion of the representative of Uruguay, who asked that the first phrase of the paragraph proposed by the United Kingdom should be voted on separately. There could be no reminder of duties and responsibilities unless it was followed by what logically should go with it, namely the mention of certain penalties, liabilities or restrictions.

101. She thought that reminding those seeking, receiving and imparting information of their duties and responsibilities indicated a realistic spirit rather than a desire to preach.

102. She proposed the addition after the word "restrictions" of the words "but those shall be such only as are provided by law and necessary", etc.

103. Mr. CHANG (China) was gratified that the United Nations Conference on Freedom of Information had thought it wise to declare that the right in question carried with it duties and responsibilities. On the other hand, he did not think it necessary to remind the press of that fact once again in the draft international covenant on human rights. It would be well to retain the text of paragraph 2 submitted by the United States delegation.

104. The introduction of the word "special" would make the United Kingdom's amendment even less acceptable; it might well be wondered what were the special duties and responsibilities to which allusion was to be made.

105. The CHAIRMAN put to the vote the United Kingdom amendment calling for the substitution of the words "carries with it duties and responsibilities and may therefore be subject to certain penalties, liabilities and restrictions

/but those

but those shall be such only as are provided by law, and necessary" for the words "shall be subject only to such limitations as are provided by law and necessary".

The United Kingdom amendment was adopted by 8 votes to 5, with 2 abstentions.

106. The CHAIRMAN pointed out that the adoption of the amendment made the corresponding French amendment pointless.

107. She invited the Commission to examine the French amendment calling for the substitution of the words "for the protection" for the words "in the interest".

108. Mr. MALIK (Lebanon) asked what was the aim of that substitution. If the amendment were intended to liberalize the provisions of paragraph 2, he would naturally vote for it.

109. Mr. ORDONNEAU (France) stated that that was indeed the intention. Measures might be taken "in the interest" of national security or public order which could not justifiably be taken for their "protection".

110. Mr. CHANG (China) did not think the English word "protection" suitable. Abstractions such as national security, public order etc. could not be "protected".

111. Mr. ORIBE (Uruguay) realized the intention of the French amendment but could not vote for it. Uruguay as well as most of the Latin-American countries did not recognize the idea of the protection of national security in peace time.

112. Mr. ORDONNEAU (France) stated that "protection" applied not only to national security but also to public order, public health and public morality. The Uruguayan delegation could therefore reject the idea of the protection of national security, but might recognize the protection of public order, public health and public morality.

113. Mr. MALIK (Lebanon) thought that a more exact English translation than the one proposed should be found. The French amendment was an important one, and it would be regrettable if it were not adopted merely on account of a difficulty in the English translation.

/114. Following

114. Following an exchange of views, in the course of which the representatives of China, Belgium, Australia and the United Kingdom proposed translation for the phrase "pour la sauvegarde" other than "for the protection", the CHAIRMAN suggested that the French and United Kingdom representatives should agree on a wording which would be satisfactory both in French and in English. The new amendment thus submitted could be examined during the Commission's next meeting.

It was so decided.

The meeting rose at 5.35 p.m.