

ECONOMIC AND SOCIAL COUNCIL



GENERAL
E/CN.4/SR.223
13 June 1951

25

ORIGINAL: ENGLISH AND
FRENCH

Dual Distribution

COMMISSION ON HUMAN RIGHTS

Seventh Session

SUMMARY RECORD OF THE TWO HUNDRED AND TWENTY-THIRD MEETING

held at the Palais des Nations, Geneva,
on Wednesday, 2 May 1951, at 3 p.m.

CONTENTS:

	<u>Pages</u>
Draft International Covenant on Human Rights and Measures of Implementation (item 3 of the agenda):	
(b) Inclusion in the Covenant of provisions concerning economic, social and cultural rights:	
1. Special provisions concerning the right to an adequate standard of living (E/CN.4/AC.14/2/Add.3) (continued)	4 - 8
2. Special provisions concerning the right to health (E/CN.4/582, E/CN.4/583, E/CN.4/589, E/CN.4/AC.14/2/Add.4)	8 - 20

Present:

Chairman: Mr. MALIK (Lebanon)

Members:

Australia	Mr. WHITLAM
Chile	Mr. SANTA CRUZ Mr. VALENZUELA
China	Mr. YU
Denmark	Mr. SÖRENSEN
Egypt	AZMI Bey
France	Mr. CASSIN
Greece	Mr. EUSTATHIADES
Guatemala	Mr. DUPONT-WILLEMEN
India	Mrs. MEHTA
Pakistan	Mr. WAHEED
Sweden	Mrs. RÖSSEL
Ukrainian Soviet Socialist Republic	Mr. KOVALENKO
Union of Soviet Socialist Republics	Mr. MOROSOV
United Kingdom of Great Britain and Northern Ireland	Miss BOWIE Mr. HOWARD
United States of America	Mrs. ROOSEVELT
Uruguay	Mr. CIASULLO
Yugoslavia	Mr. JEVREMOVIĆ

Representatives of specialized agencies:

International Labour Organisation	Mr. JENKS Mr. PICKFORD
United Nations Educational, Scientific and Cultural Organization	Mr. BMMATE Mr. HAVET
World Health Organization	Dr. BROCK-CHISHOLM, Director-General Mr. BERTRAND

Representatives of non-governmental organizations:

Category A

International Confederation of
Free Trade Unions

Miss SENDER
Mr. PATTEET

International Federation of Christian
Trade Unions

Mr. EGGERMANN

Category B and Register

Caritas Internationalis

Mr. PETERKIN

Carnegie Endowment for International
Peace

Mrs. CARTER

Catholic International Union for
Social Service

Mrs. SCHRADER

Commission of the Churches on
International Affairs

Mr. NOLDE

Consultative Council of Jewish
Organisations

Mr. BENTWICH

International Council of Women

Mrs. CARTER
Miss van EEGHEN

International Federation of Business
and Professional Women

Miss TOMLINSON

International Federation of
University Women

Mrs. ROBB

International League for the
Rights of Man

Mr. de MADAY
Mr. BALDWIN

International Union of Catholic
Women's Leagues

Miss ARCHINARD

Liaison Committee of Women's
International Organizations

Mrs. ROBB

Women's International League for
Peace and Freedom

Miss BAER

World Union for Progressive Judaism

Rabbi MESSINGER

Secretariat:

Mr. Humphrey

Representing the Secretary-General

Mr. Das

Secretary to the Commission

DRAFT INTERNATIONAL COVENANT ON HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION
(item 3 of the agenda):

(b) Inclusion in the Covenant of provisions concerning economic, social and cultural rights:

1. Special Provisions concerning the right to an adequate standard of living (E/CN.4/AC.14/2/Add.3) (continued)

The CHAIRMAN pointed out that the Commission had before it two texts, set out in Part VII of the synoptic table (E/CN.4/AC.14/2/Add.3, page 5) dealing with the right to an adequate standard of living, submitted by the United States and Australian delegations respectively. At the previous meeting the Chinese representative had submitted an amendment to the Australian proposal, involving the addition of a reference to food, housing, clothing and means of transportation; and the Yugoslav representative had submitted an amendment to the same proposal involving the addition of a reference to the need to ensure a continuous improvement in living conditions.

He recalled that the Soviet Union proposal, which also appeared in the synoptic table, had already been rejected by the Commission in the course of the debate on the article relating to the right to work.

Mr. WHITLAM (Australia) said that the purpose of the Australian proposal was to provide a text that was at once concise and inclusive. The desirability of doing so had been emphasized by the Chinese representative at the sixth session, Mr. Chang, who had suggested that the articles in the Covenant should form the kernel of concepts to be developed in detail either through subsequent international agreements or by the activities of the specialized agencies. For that reason he (Mr. Whitlam) thought the Chinese amendment unnecessary, but he would be more inclined to accept it if the reference to transportation - not a first essential in an adequate standard of living - were deleted.

Mr. YU (China) was prepared to withdraw the reference to transportation if that was the desire of the Commission. What he wanted to avoid was placing

the entire emphasis on housing as if it were the only essential to an adequate standard of living; food and clothing were equally important.

Mrs. ROOSEVELT (United States of America) said that the vote at the previous meeting had clearly shown that the Commission recognised that housing was of particular importance in the field under discussion. She had an open mind whether a reference to food and clothing was also necessary. She had proposed at the morning meeting that the phrase "the highest standard of health obtainable" should be included in the article, and thought that food at least, if not clothing, was covered by that idea.

The CHAIRMAN pointed out that whatever text might be approved at the present stage, the Commission would still have to co-ordinate the various articles in the Covenant that dealt with related questions to make sure that there was no overlapping.

Mr. JEVREMOVIĆ (Yugoslavia) said that his proposal that the words "and the continuous improvement of living conditions" should be added to the Australian text was inspired by the desire to make the article as finally approved dynamic. The Australian text seemed somewhat lacking in that quality.

Mr. VALENZUELA (Chile) submitted that an article relating to the standard of living should not be placed on the same plane as the articles dealing with other items, since standards of living were in fact determined by conditions such as wages, living accommodation, nutritional standards etc. for which provision was made elsewhere in the Covenant. To obviate any confusion, it would be advisable to place the article on the standard of living before the others.

Accordingly, he hoped it would be generally agreed that the Commission, once it had successively adopted the various articles on economic, social and cultural rights, would be free to decide on an order of priority for them.

The CHAIRMAN again stressed the fact that the question of the order of the articles finally to be submitted to the Economic and Social Council, like

that of the provisions to be included in each and every article, would have to be examined with great care by the Commission at a later stage.

Mr. CASSIN (France) pointed out that a general text might later prove to be the proper vehicle for the "standard of living" concept. Thus, while he could agree at that stage to vote for a text as a provisional pointer, he must fully reserve his position with regard to the final wording.

The CHAIRMAN replied that his earlier remark had applied only to the task of co-ordination. Once a text had been adopted it would certainly find its place in the Covenant, and the only issue, from the co-ordination angle, would be - in which article should it appear?

Mr. WHITLAM (Australia) said that in that case the Australian delegation would vote against the Yugoslav amendment, since it considered that the concept underlying it would be more appropriately situated in a general clause.

Mr. YU (China) again pointed out that the only purpose behind his proposal was to avoid giving an impression, by a specific reference to housing, that that was the only essential element in an adequate standard of living.

Mrs. ROOSEVELT (United States of America) agreed with the Australian representative's point of view, and withdrew her proposal that the words "the highest standard of health obtainable" should be added, since that question could be reconsidered, if necessary, when the Commission reached the stage of co-ordination.

Mrs. MEHTA (India) said that the idea of an adequate standard of living could be expanded to include education, health and so on. In the article under discussion essentials only should be included. The three most important were housing, food and clothing. For that reason she supported the Chinese amendment.

Mr. SANTA CRUZ (Chile), while recognizing that the principle of an adequate standard of living covered certain basic factors, submitted that a text enumerating those factors might circumscribe the principle itself. He therefore preferred the Australian text.

Mr. MOROSOV (Union of Soviet Socialist Republics) said that he would like to repeat briefly a point he had made on a number of occasions in earlier discussions: that the duty of the Commission was to impose clear-cut obligations on States rather than to content itself with high-sounding words which had no body behind them. For that reason he considered the proposals now before the Commission unsatisfactory. He also regretted that the Soviet Union proposal, with its reference to the threat of death by hunger or inanition, had been rejected, since that threat was very real in a number of countries, and it was essential to obligate States to ensure its abolition. His delegation would therefore abstain in any vote on the article under consideration.

Mr. CASSIN (France) said that he would vote for the Australian proposal. Although he agreed with the substance of the amendments submitted by the Chinese and Yugoslav representatives, he could not vote for them, because he believed that it was essential to head the provisions on economic, social and cultural rights with an affirmation that human beings had the fundamental right to food and to life.

In drafting the Covenant, the Commission should not give exclusive consideration to periods of shortage, such as the one through which the world was at present passing, when millions of human beings were threatened with lack of food. When years of plenty returned, everyone should be ensured the necessary purchasing power to secure the commodities which would then be available. It was for that reason that the French delegation had supported the right of everyone to earn his living by work.

Miss BOWIE (United Kingdom) said that she would vote in favour of the Australian proposal, because any attempt to determine in detail what constituted an adequate standard of living would lead to interminable and fruitless discussion. The text of the article should be based on Article 25 of the Universal Declaration, with its reference to "well-being", which covered the widest possible field.

Mr. EUSTATHIADES (Greece) said that he supported the Yugoslav amendment in principle. Nevertheless, he would abstain from voting on it for the reasons which he had already given, and because the word "adequate" in itself implied the idea of evolution.

The CHAIRMAN pointed out that the Commission now had before it only the Australian proposal and the Yugoslav and Chinese amendments thereto.

He asked the Commission to vote on the Yugoslav amendment to the effect that there be added to the end of the Australian text the following words: "and the continuous improvement of living conditions".

The Yugoslav amendment was adopted by 6 votes to 5 with 7 abstentions.

The CHAIRMAN then put to the Commission the Chinese amendment consisting in the addition to the Australian text of the words: "with special reference to housing, food and clothing".

The Chinese amendment was rejected by 7 votes to 3 with 5 abstentions.

The CHAIRMAN asked the Commission next to vote on the Australian text as a whole, reading:

"The States Parties to this Covenant recognize that everyone has the right to an adequate standard of living and the continuous improvement of living conditions".

The Australian text, as amended, was adopted by 14 votes to none with 4 abstentions.

2. Special Provisions concerning the right to health (E/CN.4/582, E/CN.4/583, E/CN.4/589, E/CN.4/AC.14/2/Add.4)

Dr. BROCK CHISHOLM, Director-General of the World Health Organization, speaking at the invitation of the CHAIRMAN, pointed out that seventy-six Governments had already approved the definition of health given in the Constitution of the World Health Organization (WHO), and that three others, who were still applicants for membership of WHO, had also stated that they were in favour of it.

That seemed to indicate that the WHO definition had an overwhelming measure of support behind it. The definition could be found in a summarized form in the fifth column of document E/CN.4/AC.14/2/Add.4. It was important for the Commission to realize that WHO had abandoned the somewhat negative conception of health as representing simply freedom from disease, and was now insisting on the words used in the WHO proposal now before the Commission, to the effect that health could be defined as a state of complete physical, mental and social well-being. If the Covenant on Human Rights was to be effective, it must include a provision relating to health, and he felt that the WHO proposal was simple, short and comprehensive.

The CHAIRMAN suggested that the Commission now had before it a text which had, in fact, been approved by almost all the governments represented on the Commission.

Mrs. ROOSEVELT (United States of America) amended the United States proposal in document E/CN.4/AC.14/2/Add.4 to read:

"The States Parties to this Covenant recognize the right of everyone to the enjoyment of the highest standard of health obtainable"

and pointed out that it had, at any rate, the merit of brevity.

Mr. EUSTATHIADES (Greece) supported the United States text. However, he considered it important to retain certain suggestions made by the Director-General of WHO, especially those concerning the carrying out of undertakings on the part of governments and those which took into account the traditions and resources of each country. Consideration of provisions of that nature should, however, be deferred until such time as the Commission came to discuss a general clause.

With regard to the detailed provisions in the WHO proposal, in view of the decision already taken in favour of a general formulation, and in view of the fact that the standard of living had a bearing on health and vice versa, a more general wording would appear to be preferable for the clause on the right to health too.

AZMI Bey (Egypt) pointed out that the proposal which he had submitted (E/CN.4/AC.14/2/Add.4) was based on the suggestions of WHO. In view of the fact, however, that it related to a definition that had already been accepted by all States Members of the United Nations, he would withdraw it in favour of the Australian proposal, subject to the addition thereto of the words: "and to the continuous improvement thereof."

Mr. SANTA CRUZ (Chile) wished, on behalf of his delegation, formally to take over the proposal which the Egyptian representative had just withdrawn, which possessed the merit of establishing the obligations of the State in the field of public health and of bringing the provisions of the Covenant on that point into harmony with those which had already been accepted by seventy-six States Members of WHO.

He would like, however, to propose a slight amendment to the original Egyptian text, namely, the deletion of the words "of its nationals" from the third sentence of Article 18(c).

Mr. WHITLAM (Australia) withdrew his proposal in favour of the revised United States draft.

AZMI Bey (Egypt) consequently withdrew his amendment to the Australian proposal, and supported the original Egyptian proposal now sponsored by the representative of Chile.

Miss BOWIE (United Kingdom) was unable to approve the words "the enjoyment of the highest standard of health obtainable" in the United States proposal. She did not know how any Government could ensure a right of that kind. As to the Chilean proposal, she felt that it was out of proportion to the articles so far approved. Up to the present the Commission had tried to express concisely and accurately certain general principles, to be worked out in detail later, perhaps by the specialized agencies. The fact that so many governments had accepted the WHO definition of health seemed to suggest that the Commission did not need to elaborate that definition in the article under discussion. The United Kingdom delegation thought that the happiest phraseology was that suggested by the Danish delegation, though it would be pleased to see that text amended in accordance with the proposal made in document E/CN.4/589.

Mr. MOROSOV (Union of Soviet Socialist Republics) said that again and again his delegation had felt compelled to criticize proposals like that of the United States delegation, which imposed no definite obligations on governments. That point was of particular importance in respect of health, and the Soviet Union delegation accordingly considered the United States proposal far from satisfactory, since it merely amounted to a pious wish, with nothing in the way of obligations behind it. Of the proposals before the Commission, he considered the Danish text the best, and his delegation could accept it, subject to two amendments. First, instead of speaking of States promoting conditions to assure the right to medical care, he would prefer a stronger term, such as the word "ensure". That would lay a more definite obligation on States. Secondly, his delegation felt that the expression "medical care" was too narrow. He would suggest in its place the expression "a medical service and medical attention", because, quite apart from the importance of an accurate diagnosis, assistance in the form of drugs, hospitalization etc. was often necessary, and in many countries drugs and hospital treatment were very expensive.

Mrs. ROOSEVELT (United States of America) pointed out that if the Commission accepted the Danish proposal as amended by the United Kingdom proposal (E/CN.4/589), it would be creating a precedent by going into questions of method. The articles previously adopted had been limited to general statements.

Mr. CASSIN (France) pointed out that the second part of the Chilean proposal raised the question of measures of implementation. In any event, if the Commission was to adopt such provisions, it would be necessary to make explicit reference not only to preventive hygiene, but also to medical care, as was done in the Danish proposal.

Mr. SANTA CRUZ (Chile) said he would willingly agree to the addition of a provision embodying the Soviet Union proposal (E/CN.4/583), relating to medical service and medical attention.

On closer examination of the various sections of the Egyptian proposal which his delegation had just taken over, he saw that it seemed necessary to retain paragraphs 1, 2 and 3 of the detailed provisions, since they dealt with the important problems of infant mortality, the relation between living conditions and health, and the struggle against disease. Paragraphs 4, 5 and 6, which were of secondary importance, could, on the other hand, be dispensed with, and the Soviet Union proposal incorporated as paragraph 4, subject to the deletion of the words "of its nationals". It would then read:

"4. To provide conditions which would assure the right of all to a medical service and medical attention in the event of sickness."

In reply to an observation made by the United Kingdom representative, he would like to point out that while it was desirable to be brief in a declaration, it was necessary, in a Covenant binding upon States, to prescribe clearer and more definite formulas.

Mr. DUPONT-WILLEMIN (Guatemala) asked whether the word "sickness" as used in the Danish proposal was intended to include those accidents which were not covered by social security.

Mr. YU (China) considered that the detailed provisions of the Chilean proposal would not accord with the articles already adopted. Furthermore, it would impose on States which signed the Convention obligations which were not entailed by the preceding articles. Even if paragraphs 4, 5 and 6 were dropped, the remaining paragraphs were far too detailed. No attempt had been made to elaborate the provision on an adequate standard of living to the same extent.

Since a great many governments had already accepted the WHO Constitution, the Commission should confine itself to drafting a provision in such general terms as would simply cover the obligations undertaken by States towards that agency. For if the proposals of one specialized agency were accepted in all their detail, surely other specialized agencies could justifiably claim that fuller treatment should be given to those rights which fell within their terms of reference.

It must also be noted that by its reference to the promotion of certain conditions, the Danish proposal introduced a commitment which was not entailed by the other articles. That aspect of the question should surely be examined in connexion with the blanket clause, consideration of which had been deferred for the time being. In his delegation's view, the United States proposal was the best, assuming always that the term "obtainable" was interpreted as meaning "obtainable in the conditions and circumstances prevailing in any given country."

Mr. SØRENSEN (Denmark) answering the Guatemalan representative, explained that in his original proposal (E/CN.4/542) he had used the word "sickness" in its widest sense to cover both accident and illness. He admitted that in practice some overlapping might occur, since in certain cases medical care would be provided under social security schemes, but he did not think that that would necessarily be a disadvantage. Cases covered by social security schemes should certainly have the benefit of medical care and attention.

Since he had tabled his original proposal, various amendments to it had been submitted, of which the United Kingdom amendment most satisfactorily met the various points raised in the course of discussion. It included the notion of

prevention referred to by the French representative; and in accepting it he interpreted the words "medical care" to mean "a medical service and medical attention", which were referred to specifically in the Soviet Union proposal. Finally, he preferred the United Kingdom reference to "all persons" to his phrase "all its nationals".

He agreed with the argument advanced by the Chilean representative and by the Director-General of WHO, to the effect that the term "health" had a wider connotation today than some twenty years previously, social welfare having become an essential element of the concept of health. That element had, however, been adequately and clearly dealt with in other articles of the draft Covenant, and he consequently supported those representatives who argued that the Constitution of the World Health Organization relieved the Commission of the necessity of treating the matter in great detail, especially since the purpose of the Covenant was to define the position of the individual in society as a whole. A proper balance must consequently be maintained between the various elements which went to make up the social human being. For those reasons, he was opposed to the detailed Chilean text, certain items of which in any case came under different headings; for instance, infant mortality (which should be considered under the provisions concerning women and children), improved nutrition, leisure and so on. In his view, the United Kingdom text was the best, for the above reasons he had given.

Dr. BROCK CHISHOLM, Director-General of the World Health Organization, emphasized that WHO had been striving since its inception to make a positive concept of health acceptable to all people. Accordingly, States which signed the Convention should not be asked merely to combat disease, but also to ensure for the individual the enjoyment of the highest possible standard of health. Though well aware of the difficulties implicit in the adoption of detailed provisions, the World Health Organization would prefer the Chilean text.

Although the United Kingdom amendment improved the original Danish proposal, it erred on the side of weakness by using the phrase "promoting

favourable conditions". He would therefore suggest that, in line with the attitude of the World Health Organization and with the principles enunciated in the Universal Declaration of Human Rights, the United Kingdom amendment be further amended to read as follows:

"Each State party hereto undertakes, by combating disease, by providing legislative measures to promote and protect health and by providing favourable conditions for medical care, to assure to all persons within its territory, as far as possible, the right to an adequate standard of health."

Mr. CASSIN (France) observed that, in all the provisions already adopted by the Commission, a general clause would have to be included to cover the undertakings to be assumed by States; in the case of the right to health, however, the question was still open, and there would be no difficulty in providing simultaneously for the recognition of the right in question and for undertakings by States.

The Chilean representative had already suggested that paragraphs 4, 5 and 6 should be deleted from the original Egyptian proposal. He (Mr. Cassin) was anxious to see that process carried one step further, by limiting the text to two paragraphs, the first defining the right to health, and the second providing for undertakings by States in the terms just proposed by the Director-General of the World Health Organization.

Mr. SANTA CRUZ (Chile) noted that the wording of the Danish and United States proposals might give the impression that the Commission had omitted to take account of the substantial advances made during the last thirty years in the fields of hygiene and public health. It was essential, in his view, to mention specifically the responsibility incumbent on the State for taking preventive action against disease and combating it through public health services.

It would, he submitted, be regrettable if an article on the right to health ignored the relationship between health and the standard of living.

The CHAIRMAN, speaking as representative of Lebanon, thought that there would be nothing incongruous in adopting a more detailed text in the case of the right to health, since in adopting the article on the right to work the Commission had been guided by the advice of the representatives of the International Labour Organisation, who had counselled brevity. The representatives of the World Health Organisation were now advising greater detail. He could see no reason why the Commission's decisions should not reflect the fundamental attitude of the various specialized agencies. He would welcome the adoption of the original Egyptian proposal as taken up and amended by the representative of Chile.

Miss BOWIE (United Kingdom) said that she was prepared to accept the proposal of the Director-General of the World Health Organization, as she agreed that certain measures of prevention and protection could only be taken by States. On the other hand, methods of providing individual medical care did exist which emanated, not from the State, but from health organizations, employers' services and voluntary initiative of various kinds. Although the United Kingdom, for instance, had a complete national health service, allowance must be made for the application of different techniques.

Dr. BROCK CHISHOLM, Director-General of the World Health Organization, still preferred the Chilean proposal in its amended form to the United Kingdom amendment even in its revised form.

Mr. SANTA-CRUZ (Chile) proposed that the Commission should vote first on the Egyptian proposal as amended by him - as that was the most detailed version - then on the Danish proposal as amended by the United Kingdom delegation, and finally on the United States proposal.

Mr. CASSIN (France) asked that the various paragraphs of the Egyptian proposal as amended by the Chilean representative should be voted on separately.

The CHAIRMAN put to the vote the Chilean proposal that the Commission vote first on the Egyptian proposal as taken up and amended by the representative of Chile.

The Chilean proposal was adopted by 11 votes to 5 with 2 abstentions.

The CHAIRMAN said that he would put the United States proposal to the vote as an amendment to the first paragraph of the Chilean proposal. The United States proposal read:

"The States parties to this Covenant recognize the right of everyone to the enjoyment of the highest standard of health obtainable."

Mr. SANTA CRUZ (Chile) said that the United States proposal was acceptable to him.

The United States proposal was adopted by 14 votes to none with 3 abstentions.

Miss BOWIE (United Kingdom) asked that the United Kingdom proposal, with the changes proposed by the Director-General of the World Health Organization and accepted by her, be voted on as an amendment to the whole of the remainder of the Chilean proposal.

It was so agreed.

The United Kingdom amendment was rejected by 8 votes to 7 with 3 abstentions.

The CHAIRMAN said that, as requested by the French representative, he would put the remainder of the Chilean proposal to the vote paragraph by paragraph.

The paragraph reading: "With a view to implementing and safeguarding this right, each State party hereto undertakes to provide legislative measures to promote and protect health..." was adopted by 9 votes to 2 with 7 abstentions.

The paragraph reading: "and in particular: 1. to reduce infant mortality and to provide for healthy development of the child;" was adopted by 10 votes to 3 with 4 abstentions.

The paragraph reading: "2. to improve nutrition, housing, sanitation, recreation, economic and working conditions and other aspects of environmental hygiene;" was adopted by 10 votes to 4 with 4 abstentions.

The paragraph reading: "3. to control epidemic, endemic and other diseases;" was adopted by 10 votes to 4 with 4 abstentions.

The CHAIRMAN said that he would put to the vote the operative part of the Soviet Union amendment (E/CN.4/583), reading:

"to provide conditions which would assure the right of all its nationals to a medical service and medical attention in the event of sickness:"

The Soviet Union proposal was adopted by 10 votes to 4 with 4 abstentions.

The CHAIRMAN stated that the Soviet Union proposal just adopted would form paragraph 4 of the Chilean proposal.

The Chilean (originally the Egyptian) proposal, as amended, was adopted as a whole by 10 votes to none with 8 abstentions.

As adopted it read:

"The States parties to this Covenant recognize the right of everyone to the enjoyment of the highest standard of health obtainable. With a view to implementing and safeguarding this right, each State party hereto undertakes to provide legislative measures to promote and protect health and in particular: 1. to reduce infant mortality and to provide for healthy development of the child. 2. to improve nutrition, housing, sanitation, recreation, economic and working conditions and other aspects of environmental hygiene; 3. to control epidemic, endemic and other diseases; 4. to provide conditions which would assure the right of all its nationals to a medical service and medical attention in the event of sickness."

Mrs. ROOSEVELT (United States of America), recalling that in drafting the part of the Covenant relating to economic, social and cultural rights, the Commission had hitherto defined the various rights in general terms, but that her delegation had been willing to accept the slightly more detailed United Kingdom version of the right to health, said that the Commission had adopted a

text which included references to problems such as housing and working conditions, on which decisions had already been taken. Moreover, by adopting the Soviet Union amendment, the Commission had accepted phraseology which implied an obligation with regard to medical care. She was convinced that a number of countries would not be able to honour that obligation forthwith. The text was confusing, and had no place in the Covenant. Her delegation was not in favour of it precisely because many governments had accepted the Constitution of the World Health Organization, which had been carefully thought out in all its details.

Mr. MOROSOV (Union of Soviet Socialist Republics) said that his delegation had voted in favour of the text, despite the fact that it suffered from certain shortcomings. His delegation reserved the right at a later stage in the consideration of the Covenant to re-examine certain provisions with a view to strengthening and giving a more definite form to the obligations imposed on governments.

Mr. CASSIN (France) had felt obliged to abstain from voting on the proposal as a whole, as the text was too long and duplicated other provisions. He had not, however, wanted to vote against it, because he was convinced that it would later prove possible to bring the article in question into harmony with the other articles of the Covenant.

Mr. YU (China) said that he had abstained from voting because, like other representatives, although agreeing with the substance of the article, he considered it to be out of harmony with the rest of the Covenant, especially the article on the right to work. Furthermore, he held that the adoption of so detailed a text conflicted with the Commission's decision to defer consideration of a blanket clause covering economic, social and cultural rights.

Mrs. MEHTA (India) said that she had voted in favour of the article because it dealt with the all-important subject of health, which had to be covered in one article; that consideration outweighed the disadvantages of the article's length.

Mr. WHITLAM (Australia) said that he had abstained from voting for the same reasons as those given by the Chinese representative. The article was tantamount to a parenthetical convention within the Covenant, which had thus been distorted. It would seem that the Commission was now committed to drafting a similar article relating to the right to education. His delegation would oppose that course.

Mr. HOWARD (United Kingdom) agreed with the United States representative, and considered that the article would have to be re-examined at a later stage.

Mr. SÖRENSEN (Denmark) explained that he had abstained, not only because the article was too elaborate, but especially because certain of its paragraphs for example, paragraph 2, re-stated decisions previously taken by the Commission.

Mr. EUSTATHIDES (Greece) said that he had abstained from voting for the reasons which he had given earlier.

The meeting rose at 6 p.m.