

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



GENERAL  
E/CH.4/SR.250 3.  
11 July 1951  
ENGLISH  
ORIGINALS: ENGLISH AND FRENCH

Dual distribution

COMMISSION ON HUMAN RIGHTS

Seventh Session

SUMMARY RECORD OF THE TWO HUNDRED AND FIFTIETH MEETING

held at the Palais des Nations, Geneva,  
on Saturday, 19 May 1951, at 10 a.m.

CONTENTS:

PAGES

1. Draft International Covenant on Human Rights and Measures of Implementation (item 3 of the agenda):  
Consideration of draft resolutions submitted by the United Kingdom and Chilean delegations (E/CH.4/638, E/CH.4/639) 4 - 13
2. Consideration of the draft report of the seventh session of the Commission on Human Rights to the Economic and Social Council (item 16 of the agenda) (E/CH.4/635 and add.1, add.1/Corr.1 and add.2-5) 13 - 22

Present:Chairman:

Mr. MALIK (Lebanon)

Members:

Australia	Mr. WHITLAK
Chile	Mr. SANTA CRUZ
China	Mr. YU
Denmark	Mr. SÖRENSEN
Egypt	AZHI Bey
France	Mr. COSSIN
Greece	Mr. EUSTATHIADIS
Guatemala	Mr. DUPONT-ALLENTEIN
India	Sir Dhiron MITRA
Pakistan	Mr. AHMED
Sweden	Mrs. RÖSSEL
Ukrainian Soviet Socialist Republic	Mr. KOVALENKO
Union of Soviet Socialist Republics	Mr. NODOSOV
United Kingdom of Great Britain and Northern Ireland	Miss BOWLE
United States of America	Mrs. ROOSEVELT
Uruguay	Mr. CLASULLO
Yugoslavia	Mr. JEVRENOVIĆ

Representatives of specialized agencies:

International Labour Organisation	Mr. PUCKFORD
United Nations Educational, Scientific and Cultural Organization	Mr. BASSETT

Representatives of non-governmental organizations:

Category A

World Federation of United Nations  
Associations

Mr. ENLLIS

Category B and Register

Caritas Internationalis

Mr. PETERKIN

Catholic International Union for  
Social Service

Miss de ROMER  
Mrs. SCHLUDER

Co-ordinating Board of Jewish  
Organizations

Mr. WARBURG

International Federation of  
Business and Professional Women

Miss TOLLINSON

International Federation of  
University Women

Miss ROSE

International League for the Rights  
of Man

Mr. BALEWIN

International Union for Child  
Welfare

Mrs. SCOLL

International Union of Catholic  
Women's Leagues

Miss de ROMER  
Miss ARCHINARD

Liaison Committee of Women's  
International Organizations

Miss ROSE

World Jewish Congress

Mr. RIEGNER

Secretariat:

Mr. Humphrey

Representing the Secretary-General

Miss Kitchen

Secretariat

Mr. Das

Secretary to the Commission

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

Consideration of draft resolutions submitted by the United Kingdom and Chilean delegations (E/CN.4/638, E/CN.4/639)

The CHAIRMAN invited the Commission to consider the draft resolutions submitted by the United Kingdom and Chilean representatives (E/CN.4/638 and E/CN.4/639 respectively).

Miss BOWLE (United Kingdom) stated that she would withdraw her draft resolution in favour of the Chilean draft resolution, to which, however, she would propose that the following words be added as a sixth paragraph:

"Requests the Economic and Social Council to transmit the texts of the draft articles to governments and specialized agencies for their observations."

Representatives would note that those words were largely taken from the last paragraph of her own draft resolution A.

Mrs. ROOSEVELT (United States of America) asked the United Kingdom representative whether there was any real reason for delaying the transmission of the new texts to governments until that could be done through the Economic and Social Council. Would it not be more expeditious for the Commission itself to transmit the texts to governments at once, thereby possibly enabling them to forward their comments to the Economic and Social Council at its forthcoming thirteenth session?

Miss BOWLE (United Kingdom) recalled that the matter had been discussed at the sixth session, when the Commission had been informed that it was free to transmit texts direct to governments. However, in the light of the explanations given in the Chilean draft resolution concerning the progress achieved at the present session of the Commission, and in view of the fact that it had been impossible to comply with the other instructions of the Council, she believed it would be a mark of the respect due to that body if the Commission were to ask it to transmit the relevant texts to governments rather than to do so itself. If other members felt that the alternative,

course could be taken without disrespect to the Council, and without giving rise to difficulties in connexion with the direct transmission of texts to specialized agencies, she would not oppose such a procedure. She would be interested to know whether, in fact, the Commission was competent to transmit texts of the kind in question to specialized agencies direct, without their going through the Council.

The CHAIRMAN asked the Chilean representative whether he would be prepared to delete the words "some of" from the third paragraph of his draft resolution. He also considered that the fourth paragraph would more accurately reflect the situation if the words "to complete its agenda and" were inserted after the words "it has been impossible".

Mr. CASSIN (France) very much wanted to support the draft resolution providing for transmission of the results of the Commission's work to Governments Members of the United Nations. In that connexion, he recalled the precedent established by the Commission at its fourth session, in 1948, when it had communicated, both to the Economic and Social Council and to governments, the draft Universal Declaration of Human Rights which it had completed just at that time.

Mr. SANTA CRUZ (Chile) accepted the amendments proposed by the Chairman.

With regard to the United Kingdom amendment to his draft resolution, he pointed out that the Commission had prepared a draft First International Covenant on Human Rights at the request of the Economic and Social Council, which request had been confirmed by the General Assembly. The Council had originally laid down, for the preparation of the draft Covenant, a procedure which had subsequently been amended, because the Commission had been unable to complete the task assigned to it within the appointed time and because the Council and the General Assembly had not been entirely satisfied with the first draft produced by the Commission.

The Commission's present instructions were to complete the draft Covenant. That was an essential but limited task. Economic and Social Council resolution of 23 February 1951 laid down procedure for transmittal of the draft Covenant prepared by the Commission. It was clear from that resolution that the Commission was to transmit the draft Covenant it had prepared to the Economic and Social Council; there its responsibility ended. If the Commission requested the Council to transmit the revised text of the draft Covenant to governments, it would be taking a decision that properly fell within the Council's competence. It was, indeed, the Council itself which should determine whether the draft Covenant should be transmitted to governments, though he was not actually certain that it could take such a decision, since the General Assembly had asked that the draft Covenant be transmitted to it at its sixth session.

In any case, member governments would receive the Commission's report, which would include, inter alia, the text of the draft Covenant drawn up at the present session. States Members who were members of the Economic and Social Council would be able to submit their comments orally at the Council's next session. The other States Members of the United Nations could submit their comments in writing, either to the Economic and Social Council or to the General Assembly. Hence, although he could see no reason why the Commission should not seek the comments of governments on a text which was its own, and for which it had not yet ceased to be responsible, he considered that the United Kingdom proposal meant taking a decision in a matter in which only the Economic and Social Council was competent. He therefore thought it both unnecessary and inadvisable to transmit the draft Covenant to governments.

With regard to the United States representative's suggestion, the Commission was certainly not competent to ask governments to transmit their comments direct to the Council.

Mrs. ROOSEVELT (United States of America) said she would not press her suggestion in the light of the remarks of the Chilean representative.

Miss BOWIE (United Kingdom) said that she was simply anxious that, as a matter of normal procedure and courtesy, governments should be given ample time to examine the new draft articles, compare them with the original ones, and obtain all the necessary legal advice on them. The Commission would in no way be trespassing on the rights of the Council by asking it to forward the texts of the draft articles to governments, action which the Council would in any event take itself. It was only because of the special circumstances that had attended the Commission's work at the present session that she had suggested a somewhat more formal procedure by asking the Council to do something which, in fact, the Commission could do itself.

The CHAIRMAN asked the United Kingdom representative whether, for the sake of clarity, she would be prepared to replace the words "the texts of the draft articles" in her amendment by the words "the draft Covenant on Human Rights".

Miss BOWIE (United Kingdom) accepted the Chairman's suggestion.

AZHI Bey (Egypt) noted that the main point at issue was whether the Commission should communicate the results of its work to governments and specialized agencies. The essential thing was to avoid loss of time, and to avoid making it impossible for the Council to complete its own work. He himself considered it not only advisable, but indispensable, to secure the views of governments, and he had no objection to the specialized agencies being consulted as well.

In those circumstances, he proposed that the United Kingdom amendment be amended to read as follows:

"Decides to transmit the texts of the draft Covenant to Governments and specialized agencies, for comments to be communicated to the Economic and Social Council before its next session."

The Council's thirteenth session was due to open on 30 July; Governments and specialized agencies would thus have seventy days in which to study the draft Covenant and transmit their comments.

The CHAIRMAN pointed out that one point at issue was whether the Commission could ask governments to transmit comments to a higher organ of the United Nations. If that raised any complications of a constitutional character, they could be avoided by the Commission simply transmitting the draft Covenant to governments and specialized agencies without a definite request for comments, but calling attention to the fact that the draft would be examined by the Economic and Social Council at its forthcoming session opening on 30 July.

Mr. SANTA CRUZ (Chile) said he would have been willing to agree to the Chairman's suggestion, but preferred the Egyptian amendment, which he accepted. Under it, the Council would be able to take a decision even if it had not received comments from governments and the specialized agencies. The Commission, moreover, would not be exceeding its competence in adopting the Egyptian text.

Mr. DUPONT-WILLEMIN (Guatemala) thought the Egyptian amendment definitely went beyond the terms of reference given to the Commission by the Economic and Social Council. It was to the Council alone that the Commission should render account of its work. The Council could then decide whether it was desirable to transmit the text of the draft Covenant to governments; the Commission itself was not competent to take such a decision.

The CHAIRMAN pointed out that in any event the report of the Commission would be forwarded to governments and specialized agencies as soon as it was available.

Mr. MOROSOV (Union of Soviet Socialist Republics), referring to the United Kingdom amendment, pointed out that it was perfectly proper to



arrange for the transmission of the draft Covenant to governments, particularly as the majority of States Members of the United Nations were not represented on the Commission; but he saw no need for transmitting it also to those specialized agencies which had been represented during the discussion of the relevant texts at the present session.

The CHAIRMAN said that that element of the United Kingdom amendment could be put to the vote separately.

He asked the Egyptian representative whether he would be prepared to accept the following wording for his amendment:

"Calls the attention of governments and specialized agencies to the fact that this report of the Commission will be put before the Economic and Social Council at its thirteenth session, which opens on 30 July, for its consideration."

AZMI Bey (Egypt) and Mr. SANTA CRUZ (Chile) accepted the Chairman's proposal.

Mr. JEVRENOVIĆ (Yugoslavia) stated that the second paragraph of the Chilean draft resolution would also require modification. He could not agree that the measures of implementation the Commission had drafted at the present session related only to economic, social and cultural rights. No decision of substance had, in fact, so far been taken on that issue; and nothing must be done that might prejudice that decision. The issue had in fact been carefully left open, in the text of article 61 as reproduced in the Annex to the Commission's draft report (E/CN.4/635/Add.5).

After some discussion, the CHAIRMAN suggested that the second and third paragraphs of the Chilean draft resolution should be combined to read:

"Having drafted texts of articles on economic, social and cultural rights and having drafted and revised articles on implementation."

Mr. SANTA CRUZ (Chil.) accepted the Chairman's suggestion.

The CHAIRMAN put to the vote the first paragraph of the Chilean draft resolution (E/CN.4/639).

The first paragraph of the Chilean draft resolution was unanimously adopted.

The CHAIRMAN put to the vote the combined second paragraph just proposed by himself and accepted by the Chilean representative.

The new second paragraph was adopted by 15 votes to none with 2 abstentions.

The CHAIRMAN put to the vote the original fourth paragraph, now the third paragraph, of the Chilean draft resolution, with the words "to complete its agenda and" inserted after the word "impossible" as previously agreed.

The new third paragraph was unanimously adopted.

The CHAIRMAN put to the vote the original fifth and last paragraph, now the fourth paragraph, of the Chilean draft resolution.

The new fourth paragraph was unanimously adopted.

Mr. SØRENSEN (Denmark) said that before the Egyptian and United Kingdom amendments were put to the vote, he wished to draw attention to the danger that would be entailed by failure to include a specific request to governments for their comments. He feared that if the draft Covenant was submitted to governments without such a specific request, no immediate action would be taken on it. Unless such an element was introduced into the Egyptian amendment, he would have to vote in favour of the United Kingdom amendment.

Mr. YU (China) and Mr. WHITLAM (Australia) endorsed the remarks of the Danish representative.

The CHAIRMAN, speaking as representative of Lebanon, said he would vote in favour of the Egyptian amendment for reasons similar to those given by the Chilean representative.

It seemed to be implicit in the United Kingdom amendment that the draft Covenant could not come up for consideration by the General Assembly at its forthcoming sixth session in 1951. That was the basic difference between the United Kingdom and Egyptian amendments, the latter being devoid of any such

implication. He considered, therefore, that the United Kingdom amendment ran counter to the intention of General Assembly resolution 421 (V), and for those reasons would have to vote against it.

In reply to a question by Miss BOWIE (United Kingdom), he said that there would be ten weeks between the end of the present session of the Commission and the opening of the thirteenth session of the Economic and Social Council. The date for the opening of the sixth session of the General Assembly was still not fixed, but there would be between five and seven weeks between that date and the close of the session of the Economic and Social Council.

Mr. CASSIN (France) pointed out that the fact that under the United Kingdom amendment, the Economic and Social Council would have to communicate the results of the Commission's work to governments and to the specialized agencies in no way signified that the Council itself could not take cognizance of and consider the Commission's report. On the contrary, he considered that the Council preserved its full rights. The United Kingdom amendment did not, in his opinion, have the legal effect of limiting the powers of the Council - which was something that the Commission was in any case powerless to do. On the other hand, the Egyptian amendment had the advantage that it would place the results of the Commission's work into the hands of governments more quickly.

Mr. SANTA CRUZ (Chile) remarked that, whatever interpretation was placed on the United Kingdom amendment, its effect, if adopted, would be to delay a final decision on the draft Covenant, since it specifically called for observations from governments, whereas the Egyptian amendment did not. He wished, however, to re-affirm that, in his opinion, the Commission had not the power to take the decision inherent in the United Kingdom amendment. If that amendment were put to the vote, he requested that the vote be taken by roll-call.

Miss BOWIE (United Kingdom) pointed out that no decision taken by the Commission could detract from the powers of the Economic and Social Council and the General Assembly. Her proposal was only intended to draw the attention of

governments to the importance of making comments on the draft Covenant; she had proposed that the request should be made through the intermediary of the Economic and Social Council because she considered that the occasion called for some measure of formality. However, if her amendment were rejected, she would vote in favour of the Egyptian amendment.

Mr. SANTA CRUZ (Chile) recalled that he had already accepted the Egyptian amendment, so that there was no point in taking a separate vote on it.

Mr. DUPONT-WILLERIN (Guatemala) said he would vote against the United Kingdom amendment because of the delay it might cause in the adoption of the draft Covenant. He would also vote against the Egyptian amendment, as he did not consider the Commission competent to make the request it embodied.

The CHAIRMAN stated that on several previous occasions the Commission had asked for material and comments from governments through the intermediary of the Secretary-General. He therefore proposed that the United Kingdom amendment be amended to read:

"Requests the Secretary-General to transmit the draft Covenant on Human Rights to governments and specialized agencies with a view to their commenting thereon for the next session of the Economic and Social Council, which opens on 30 July 1951."

Miss BOWIE (United Kingdom) accepted the Chairman's proposal, but suggested that the words "with a view to their commenting thereon" be replaced by the words "with a view to their making their observations thereon".

The CHAIRMAN, accepting the United Kingdom suggestion, asked whether the representatives of Egypt and Chile were willing to accept the amended United Kingdom text.

AZMI Bey (Egypt) and Mr. SANTA CRUZ (Chile) said that they were.

Mr. NOVAKOVIC (Ukrainian Soviet Socialist Republic) asked for a separate vote to be taken on the words "and specialized agencies" in the amended United Kingdom text.

The Commission decided, by 15 votes to 2 with 1 abstention, that the words "and specialized agencies", should be retained.

The CHAIRMAN then put to the vote the amended United Kingdom text as a whole; if adopted, it would form the fifth and final paragraph of the Chilean draft resolution.

The United Kingdom proposal for the last paragraph was adopted by 14 votes to none with 3 abstentions.

The CHAIRMAN then put to the vote the Chilean draft resolution as amended and as a whole.

The Chilean draft resolution (E/CN.4/634) was adopted as a whole and as amended by 15 votes to none with 2 abstentions.

2. CONSIDERATION OF THE DRAFT REPORT OF THE SEVENTH SESSION OF THE COMMISSION ON HUMAN RIGHTS TO THE ECONOMIC AND SOCIAL COUNCIL (item 16 of the agenda) (E/CN.4/635 and Add.1, Add.1/Corr.1 and Add.2-5)

The CHAIRMAN called upon the Rapporteur to introduce the draft Report of the seventh session of the Commission on Human Rights to the Economic and Social Council (E/CN.4/635 and Add.1, Add.1/Corr.1 and Add.2-5).

Mr. WHITLAM (Australia), Rapporteur, stated that document E/CN.4/635 contained chapters I, II and IV of the Report. Chapter I dealt with the organization of the seventh session, chapter II with the agenda and chapter IV with communications.

Document E/CN.4/635/Add.1 contained that part of Chapter III of the Report which dealt with the discussions on economic, social and cultural rights. It was supplemented by document E/CN.4/635/Add.3.

Document E/CN.4/635/Add.2, the continuation of chapter III, dealt with measures of implementation and the territorial application of the Covenant. It was completed by document E/CN.4/635/Add.4, and the two should be considered together.

Document E/CN.4/635/add.5 contained the draft articles of the Covenant and, in accordance with precedents established in previous reports, would form Annex I of the Report.

Chapter III, dealing with the draft Covenant, would be completed by the inclusion of the resolution the Commission had just adopted.

Chapter V contained a statement of the work which the Commission had deferred, and would include all the items of the agenda which the Commission had not considered.

Chapter VI would deal with future sessions of the Commission; if the Commission decided to make no recommendation on the subject, the chapter would be deleted.

Further annexes would be added to the Report dealing with the following subjects

1. The amendments to articles 1-18 of the Covenant submitted to the present session by the representatives of India (E/CN.4/563/Rev.1), Yugoslavia (E/CN.4/573), Egypt (E/CN.4/626) and the United Kingdom (E/CN.4/628), and the comments, to be found in annex II to the Report of the sixth session of the Commission, made on these articles by members of the Commission;
2. Proposals contained in the Report of the sixth session of the Commission dealing with the Federal State article, including the proposals of Denmark, submitted at the present session in document E/CN.4/636;
3. The amendments to the last part of the draft Covenant submitted by the Indian representative (E/CN.4/563/Rev.1);
4. The proposals for additional articles, not dealing with economic, social and cultural rights, which were to be found in annex III to the Report of the sixth session of the Commission;
5. The resolutions of the General Assembly and the Economic and Social Council containing the directives under which the Commission had worked at the present session.

The CHAIRMAN invited the Commission to study the draft Report paragraph by paragraph.

Chapter I: Organization of the Session.

Paragraphs 1 and 2 were adopted without comment.

Mr. MARGSOV (Union of Soviet Socialist Republics) considered that paragraph 3 presented a one-sided picture. It contained a detailed statement of the views of the Chairman on the draft resolution submitted by the Soviet Union representative, but made no reference to the latter's reasons for challenging the ruling of the Chair. He proposed the deletion of the third and fourth sentences, beginning with the words: "She stated ...." and ending with the words: "..... in other organs of the United Nations and specialized agencies". If the Commission refused to delete those sentences, he would demand the insertion in the report of a statement of the motives of the Soviet Union representative in challenging the ruling of the Chair.

Mr. YU (China) considered that nothing should be deleted from paragraph 3. If there were any deleting to be done, it was for the Soviet Union delegation to delete from its programme the eternal playing of the same old gramophone record, which repeated only "Its Master's Voice". At every session of every important body of the United Nations the representatives of the Soviet Union had introduced the same draft resolution with the same ridiculous wording. It had been recognized time and time again that he (Mr. Yu) represented a properly constituted government. The Soviet Union had wasted far too much of the Commission's time by submitting resolutions of that kind. Moreover, the so-called People's Republic of China had been branded as an aggressor, and it would be ridiculous to invite the representatives of an aggressor state to take part in the work of a body whose principal task was the maintenance of peace and security. The two sentences to which the Soviet Union representative had referred contained no more than bare statements of fact, and that representative's objections were based on fear of the inclusion of such unpalatable facts in the report. He appealed to the Chairman to rule the Soviet Union proposal out of order; if it were none the less put to the vote, he would vote against it.

Mr. MOROSOV (Union of Soviet Socialist Republics) was surprised and hurt by the remarks that had just been made. He had submitted a procedural motion, not a political one; he was therefore astounded that such a harmless proposal should have given rise to such a violent and completely unprovoked attack by Mr. Yu. He would not allow the Government of the People's Republic of China to be attacked in the Commission by a person who represented neither a country nor a government, and appealed to the Chairman to protect him from the mud-slinging activities of the Kuomintang Group.

The CHAIRMAN said he would allow no more political statements to be made during the remaining meetings of the session.

Mr. YU (China), speaking to a point of order, pointed out that the representative of the Soviet Union, in referring to the Kuomintang Group, had used an expression that was inaccurate. There was no representative of the Kuomintang Group present. In view of the use of such an expression he (Mr. Yu) had every right to reply and speak as he had done. He had never intended to provoke a political debate at any time.

The CHAIRMAN put to the vote the Soviet Union proposal that the third and fourth sentences of paragraph 3 be deleted.

The Soviet Union proposal was adopted by 14 votes to 1 with 3 abstentions.

Paragraph 3, as amended, was adopted.

Referring to paragraph 4, Mr. DUPONT-WILLEMEN (Guatemala) pointed out that Mr. Garcia Bauer had been appointed member of the Commission in his capacity as permanent representative of Guatemala to the United Nations. Mr. Garcia Bauer had subsequently been replaced as permanent representative to the United Nations by Mr. Castañeda Paganini. The Secretariat should therefore examine the question whether, under those circumstances, Mr. Castañeda Paganini had not become the accredited Guatemalan representative to the Commission on Human Rights, he himself, ex hypothesi, replacing, not Mr. Garcia Bauer, but Mr. Castañeda Paganini.



Paragraph 4 was adopted, subject to any necessary corrections being made in the light of the information available to the Secretariat in connexion with the point raised by the Guatemalan representative.

Paragraph 5 was adopted without comment.

Miss BOWIE (United Kingdom) asked that the name of Mr. J.D. Robertson who on several occasions had deputized for her without voting, be added to the list of names in paragraph 6.

It was so agreed.

Paragraph 6 was adopted as amended.

Mr. Cassin (France), Vice-Chairman, took the Chair.

Mr. HOROSOV (Union of Soviet Socialist Republics) proposed the deletion from paragraph 7 of the words "and representatives from Italy", as no official representatives of the Italian Government had been present.

Mr. SANTA CRUZ (Chile) asked the Secretariat whether the presence of observers representing the Italian Government had been officially notified to the Secretariat.

Mr. DAS (Secretary to the Commission) stated that all the States mentioned in paragraph 7 had in fact sent observers to attend the meetings of the Commission, and had notified the Secretariat of their intention of doing so. He recalled that the Report of the second session of the Commission had included a similar paragraph (E/600, paragraph 7).

Mr. HOROSOV (Union of Soviet Socialist Republics) asked why the Italian observers had been referred to as representatives, and whether their credentials had been verified.

Miss KITCHEN (Secretariat) read to the Commission a letter from the Italian Consulate-General in Geneva appointing two observers to attend the meetings of the Commission. That letter bore the signature of the Italian Consul-General.

Mr. MOROSOV (Union of Soviet Socialist Republics) asked that further discussion of the question be deferred until the representative of the Secretary-General was present to give an official answer on the question, with particular reference to the credentials of the Italian observer.

It was so agreed.

Paragraph 8 was adopted without comment.

Mr. PICKFORD (International Labour Organisation), speaking at the invitation of the CHAIRMAN, said that he had handed in to the Secretariat certain corrections to paragraphs 9 and 14 concerning the names of the representatives of the International Labour Organisation.

Paragraphs 9-16 were adopted.

#### Chapter II - Agenda

Chapter II was adopted without comment.

#### Chapter IV - Communications

Mr. LEROY-BEAULIEU (France) asked whether it was correct that each delegation received only a single copy of communications transmitted to the Commission.

Mr. DAS (Secretary to the Commission) stated that at its fifth session the Commission had decided that only one copy should be circulated to each member of the Commission, and that the Secretariat had abided by that decision ever since.

Mr. LEROY-BEAULIEU (France) thought that two copies of every communication should be sent to each delegation. One would be for the use of the member of the delegation sitting on the Commission, the other for the archives of the Government he represented.

The CHAIRMAN quoted rule 40 of the rules of procedure, and observed that the Commission must settle the question of the publicity to be given to

communications and to the summary record of the meeting it had devoted to their examination.

Mr. DAS (Secretary to the Commission) pointed out that resolution 75(V) of the Economic and Social Council provided that the confidential lists of communications should only be distributed to members of the Commission; they were not intended to be circulated to Governments at all. That same resolution, as amended by resolution 275 B (X), provided that every Member State must be provided with "a copy of any communication concerning human rights which refers explicitly to that State or to the territories under its jurisdiction." It was therefore clear that the Secretariat could not distribute the confidential lists to every State Member of the United Nations.

With regard to the second question raised by the Chairman, he recalled that the Commission had decided to call the attention of the Economic and Social Council to the fact that the Commission had been receiving communications ever since its establishment. A decision under rule 40 might facilitate the availability of the records of the meetings to members of the Council.

Mr. LEROY-PEAULIEU (France) thought it essential that governments should receive the text of communications addressed to the Commission. He accordingly reserved the right to raise the question in the Economic and Social Council.

The CHAIRMAN said that the only question to be settled was whether the communications should be transmitted to the Economic and Social Council.

AZMI Boy (Egypt) felt that the Commission, being a subsidiary organ of the Economic and Social Council, could not refrain from transmitting to that body all the documentation it received.

Mr. DAS (Secretary to the Commission) recalled that the Economic and Social Council itself had laid down rules concerning the summary records of private meetings of its functional commissions and other bodies; the records of private meetings were not made available to Member States.

Mrs. ROOSEVELT (United States of America) considered that it would be unwise to propose modifications of the rules of procedure without carefully examining the question, which there was no time to do at the present stage.

The CHAIRMAN stated that there was no question of amending rule 40 of the rules of procedure. Since no member of the Commission had made any proposal based on that rule, he considered the matter settled.

### Chapter III - Draft International Covenant on Human Rights and Measures of Implementation

Paragraphs 1 and 2 were adopted without comment.

Mr. WHITLAM (Australia), Rapporteur, stated that the list of documents would be added later to paragraph 3.

On that understanding, paragraph 3 was adopted.

Mr. MOROSOV (Union of Soviet Socialist Republics) considered that the list contained in paragraph 4 was incomplete. He proposed that the following passage be added at the end of that paragraph:

"The following questions were thoroughly studied: the obligations of States to implement effectively the economic, social and cultural rights enunciated in the Covenant; specific ways and means of implementing the rights to work, to social security, to education, and other rights proclaimed in the Declaration and the Covenant; the principle that the implementation of the provisions of the Covenant in respect of their own citizens was an obligation laid on the governments of signatory States. In the last connexion there was a discussion as to whether each of the articles relating to economic, social and cultural rights had to mention the definite measures to be adopted for the implementation of these rights."

Further discussion of paragraph 4 was deferred until the translation of the Soviet Union proposal was available.

Mr. Halik (Lebanon) resumed the Chair.

Paragraphs 5 and 6 were adopted without comment.

Mr. MUROSOV (Union of Soviet Socialist Republics) stated that the sentence in paragraph 7 reading: "The Commission rejected Union of Soviet Socialist Republics amendments to delete the part dealing with the co-operation of the specialized agencies by 15 votes to 2", did not accurately reflect the motives of the Soviet Union delegation in submitting those amendments. His delegation did not object to the principle of co-operation with the specialized agencies; it had simply deemed it useless to include a list of specialized agencies concerned in the resolution in question. He proposed therefore that the sentence in question should be amended to read:

"The Commission rejected by 15 votes to 2 Union of Soviet Socialist Republics amendments to delete the part containing the list of specialized agencies in so far as in the belief of the Soviet Union there was no need to include that list in the resolution."

Mr. WHITLAM (Australia), Rapporteur, considered the Soviet Union proposal acceptable.

Miss BOWIE (United Kingdom) pointed out that the motives of delegations were not mentioned anywhere else in the report. She thought the Soviet Union representative's objections would be met if the word "co-operation" was replaced by the word "enumeration".

Mr. MUROSOV (Union of Soviet Socialist Republics) accepted the United Kingdom proposal.

Paragraph 7 was adopted as amended.

Paragraphs 8, 9, 10 and 11 were adopted without comment.

Mr. PICKFORD (International Labour Organisation), speaking at the invitation of the CHAIRMAN, asked that the word "latter" in the seventh line of paragraph 12 be replaced by the word "detailed", and that the word "should" in the eighth line be replaced by the word "might".

It was so agreed.

In connexion with a point raised by Mr. LEROY-BEAULIEU (France), the CHAIRMAN proposed that the first line of paragraph 12 should be amended to read: "The Commission considered, as to the substance, the proposals on rights . . . ."

Mr. LEROY-BEAULIEU (France) and Mr. WHITLAK (Australia), Rapporteur, supported the amendment proposed by the Chairman.

Paragraph 12 was adopted as amended.

The meeting rose at 1.5 p.m.