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Chairman: Mr. S. Amjad ALI (Pakistan).

**Draft convention on political rights of women**  
(A/2156, A/2156/Add.1, A/2172, chapter V,  
section XII, paragraphs 620-624, A/C.3/L.330)  
(continued)

[Item 61]\*

1. Mr. AZKOUL (Lebanon) wished to express the Lebanese delegation's pleasure at seeing the United Nations, after its protracted study and discussion, reach the point where a convention on political rights of women was about to be adopted.

2. The history of mankind was undoubtedly replete with examples of unatoned mistakes and criminal madness, such as war, conquests, persecution, atrocities and cruelties of every kind. Of all the crimes of man, however, the most shocking seemed to be the unjust subjugation of women. Certain iniquities could be understood even though they could not be excused. Sometimes, perhaps, the victims of murder, extortion and oppression had appeared to their executioners as beings of a different kind, as hostile strangers ready to destroy anyone who did not destroy them. That prejudice could not, however, have existed towards women. He asked how man had been able to treat so shockingly beings who were so close to him, and how he had been able to treat as inferior beings and even as slaves the mothers, sisters, wives and daughters who were the very soul of the home. The historical importance of the decisions on the status of women that were being taken by the United Nations could not be exaggerated. By rectifying an injustice that was centuries old, mankind was in a way making amends for its crime against woman.

3. The Lebanese delegation had from the very beginning participated actively in the work on the question. The Lebanese representatives on the Commission on Human Rights had defended the principle of absolute

equality between human beings without any distinction. Its representatives on the Commission on the Status of Women had striven to achieve recognition of the rights of women and had taken part in preparing the draft resolution before the Committee.

4. At the same time definite progress had been made in Lebanon, resulting in the promulgation on 4 November 1952 of a decree granting women the right to vote and to hold office. An addendum (A/2154/Add.1) to the memorandum by the Secretary-General described what had been done. Although in principle the political rights of women ought not to be restricted, in practice they should occasionally be subject to certain conditions in order that progress might be smooth and harmonious and that the expected results should not be jeopardized by ill-advised haste. That was why Lebanon had introduced transitional provisions limiting the right to vote to women with some measure of education. But those restrictions were not permanent. Progress was being made, and the time was not far off when all the women of Lebanon would be politically equal to men in all respects.

5. The Lebanese delegation supported the draft convention and would vote for its adoption as also for any amendment designed to improve the convention and make it more effective.

6. Mrs. RÖSSEL (Sweden) recalled that in Sweden the participation of women in political life had received final approval in 1921 when they had been granted the right to vote and to be elected to all public offices. The percentages of men and women voting were almost the same, and the number of women both in Parliament and in local and provincial bodies was increasing.

7. The representative of the Philippines had made some interesting remarks at the 476th meeting about the part played by the woman in the family. In Sweden, too, the family was the corner-stone of society, but women could not be restricted to the home. A characteristic of modern times was the general and growing

\* Indicates the item number on the agenda of the General Assembly.

interest in improving social conditions by reducing infant mortality, organizing health centres, providing for the welfare of children, old persons, the disabled and the under-privileged, and providing vocational training facilities. Government services were steadily increasing their social welfare activities, and it was only natural that women should take an active part in those activities, but the participation of women in public life should not be limited to that field. On the contrary, the effort to build up a democratic society required co-operation by men and women in all spheres of human activity. World progress was the goal towards which men and women had to work on a footing of equality in a partnership based on mutual confidence and respect. Women should, as they acquired the necessary rights, also become aware of their new responsibilities. The experience of Sweden was very encouraging in that regard.

8. The Swedish delegation unreservedly supported the first two articles of the draft convention (A/C.3/L.330, annex). Regarding article 3, it had been inevitable that the expression "public office" would be given a somewhat different interpretation in different countries. It seemed clear, however, that it was not intended to cover military service. Furthermore, the Swedish delegation considered that the term "public office" referred only to governmental administration. With that interpretation it could be said that there was, with one exception, complete equality between men and women in Sweden. The exception was priestly office, but preparatory work was going on with a view to bringing about a change in that respect in the Swedish Constitution.

9. The USSR delegation had listed some sources of discrimination in its proposed amendments (A/C.3/L.327/Rev.1) to the first three articles of the draft convention. But to condemn certain practices specifically was equivalent to giving tacit approval to similar practices not specified. In addition to discrimination based on race, colour, national or social origin, property status, language or religion, there was also discrimination based, for example, on political or other opinions or on civil status. The omission of any type of discrimination suggested acceptance of it. The list drawn up by the USSR of types of discrimination was incomplete and consequently both superfluous and dangerous. The same applied to the amendment proposed by Afghanistan (A/C.3/L.331).

10. The delegation of Sweden would vote for the draft resolution of the seven Powers (A/C.3/L.330) as it stood. If, however, the Committee decided to insert after article 7 the new article proposed by India (A/C.3/L.333), the Swedish delegation would still vote for the draft resolution as thus amended.

11. Mrs. MARZUKI (Indonesia) observed that, in producing the draft convention which was before the Third Committee, the Commission on the Status of Women had acted in accordance with General Assembly resolution 56 (I). Contrary to the arguments put forward at the eleventh session of the Economic and Social Council, the Commission on the Status of Women had never underestimated the importance of the convention in question and it deserved the thanks and congratulations of all who were interested in women's rights.

12. The Indonesian delegation considered that it was a most appropriate time to adopt a convention on the political rights of women. When the text was communicated to States Members of the United Nations, the Indonesian Government had given it its approval and had decided to accede to it according to the procedure laid down in the provisional constitution.

13. Indonesia was one of the countries where women enjoyed complete *de facto* equality of political rights. That had been guaranteed to them in the provisional Constitution of the United States of Indonesia and confirmed in articles 23, 35 and 60 of the provisional Constitution of the Indonesian Republic, which were based on the same principles as the convention. Women had played an important part in the Indonesian people's fight for independence. They had fought alongside of the men in the partisan groups during the 1945 revolution, sharing their dangers, sufferings and privations. Accordingly, it was only right and proper that, when independence was won, they should have received the same rights and advantages as their brothers-in-arms. Indonesian women were taking an active part in public life. The extension of education had greatly contributed to the removal of any obstacles in their path. There were no restrictions on women's activities in any field. Discrimination based on sex did not exist in Indonesia. The regulations relating to wages, pensions and employment conditions applied equally to men and women. The number of women in the public services was constantly increasing. There had been women ministers; some held important positions in the administration and the diplomatic service, many were members of parliament or of the municipal and provincial assemblies. She therefore supported the draft convention, the provisions of which were in accordance both with the Constitution and practice in Indonesia.

14. The Indonesian delegation would support the Netherlands amendment (A/C.3/L.329/Rev.2), the text of which was similar to paragraph 1 of the Indonesian Constitution.

15. As regards amendments 1, 2 and 3 submitted by the USSR delegation (A/C.3/L.327/Rev.1), she thought that it was unnecessary to enumerate the grounds for discrimination and that the words "without any discrimination" would be quite sufficient. The Indonesian delegation therefore intended to ask for a separate vote on those three words.

16. She was prepared to accept the words "both central and local" and in the amendment to article 2 of the convention (A/C.3/L.327/Rev.1, point 2) but considered the addition of the words "State and public" superfluous, since the expression "all publicly elected bodies" covered both cases.

17. As regards the new article 4 proposed by the USSR (A/C.3/L.327/Rev.1, point 4), her delegation considered that any State acceding to and ratifying a convention implicitly undertook to take the necessary measures to apply it. The provision which the USSR representative wished to have inserted as article 5 (A/C.3/L.327, point 4) was based on the same principles as the text of article 8-A proposed by the Secretary-General (A/2156/Add.1), which in turn was taken from General Assembly resolution 422 (V). The

wording of the Soviet Union amendment seemed preferable to that of article 8-A.

18. As for article 9, the Indonesian delegation thought the words "unless they agree to another mode of settlement" provided for the possibility of recourse to arbitration by agreement between the countries concerned.

19. On the whole, the Indonesian delegation considered the draft convention produced by the Commission on the Status of Women a clear, precise, complete and effective document. Indonesian women already had complete political equality, but the convention was of great international value and usefulness and the Indonesian delegation would like to see it adopted.

20. Mr. T. HUNEIDI (Syria) pointed out that the movement for full equality between men and women was growing year by year throughout the world. The United Nations had been concerned with the matter ever since its first session and the Secretary-General's memorandum (A/2154) noted that twenty-three States had granted political rights to women since 1945, the year in which the Charter of the United Nations had been signed.

21. Syria was among those countries. In 1949 it had granted the right to vote to women holding a certificate of elementary education, for a minimum of education seemed necessary in order to be able to exercise the right properly. In addition, Syrian women had always been entitled to hold public office: women were to be found in most of the public services, particularly education, public health and economic and social affairs. The principle of equal pay had long since been applied in Syria and no one thought of contesting it. In the teaching profession also there was complete equality of the sexes. Syrian women had taken part in the political life of the country long before acquiring the right to vote. Women had fought alongside of men for national independence. In social affairs, they had always played a predominant part and Syria had numerous women's organizations engaged in a wide variety of activities. The heads of the Red Cross and the Red Crescent were women. Syrian women's organizations were affiliated to international women's organizations and took an active part in international conferences. The number of primary and secondary girls' schools had increased considerably in recent years and there had also been an appreciable increase in the number of women students attending the universities. The percentage of women engaged in the liberal professions was steadily growing: every year the universities and teachers' training schools sent out women doctors, lawyers and primary, secondary and university teachers.

22. The Syrian delegation, which had taken an active part in the work of the Commission on the Status of Women, had always defended the principle of equality of rights for men and women. A convention such as that before the Third Committee would help to generalize the application of that principle. However, due account should be taken of the special circumstances of each country and the degree of advancement of its people. Traditions, customs, attitudes and ways of life differed from country to country. A measure that was excellent for one might have deplorable effects in another. That had to be borne in mind if the work of

the United Nations was to have practical and lasting effects. Social reforms, above all, had to be applied wisely, cautiously and gradually. That was why Syria had granted political rights to women progressively, giving them the right to vote before making them eligible to vote. The first step would be followed in due course by others, until complete equality between men and women in all spheres was attained.

23. The Syrian delegation supported the draft convention (A/C.3/L.330, annex) on the understanding that it did not thereby commit its government in any way.

24. Concerning article 9, Mr. Huneidi thought that any reference to the possibility of a dispute between contracting States was superfluous and only weakened the convention, which by its nature excluded such conflicts.

25. Miss BERNARDINO (Dominican Republic) drew the impression from the discussion that many delegations would vote for the convention on political rights of women. She was particularly pleased to note that they included several Latin-American delegations.

26. However, it had become apparent during the discussion that, in some countries, antiquated, even feudal, ideas about women's rights still persisted. It was only natural that countries which could not support the convention should try to justify themselves by adducing specious arguments invented for the purpose, but the attitude of other States was less easy to understand. It was surprising that representatives who extolled the advantages which the women of their countries enjoyed should accept and support proposals which were incompatible with the current movement to emancipate women and with the progress already achieved in their own countries. Other delegations quoted age-long traditions and claimed that adoption of the draft convention would compromise the normal development of the female population and might even impede recognition of women's rights. Emphasizing that the cause of universal suffrage was at stake, they were suggesting that consideration of the matter should be postponed until the covenants of human rights had been approved. Admittedly, women ought to benefit from the proclamation of human rights, but it was nevertheless true that, in some countries, they could not hope to derive any advantage from it because they were not regarded as human beings. The argument was therefore untenable.

27. It should also be emphasized that it was nowadays absurd to refer to the "weaker sex". That anti-feminist idea had been used in bygone days to justify discriminatory measures against women on the pretext of alleged physical inferiority. But during the Second World War millions of women had taken men's places in factories and elsewhere, and had shown that they were not physically inferior. It could even be said that they had made a vital contribution to victory. Woman had proved that she was not a weak creature and there was no justification for depriving her of the rights granted to men.

28. She understood the position of certain delegations regarding reservations in respect of military service, particularly in regard to article 3. The interpretation which those delegations placed on article 3 would be

noted in the Committee's records and could be referred to if any doubt arose.

29. She would vote for the Netherlands amendment (A/C.3/L.329/Rev.2).

30. She would also vote for the amendment submitted by Afghanistan, Iraq and Yugoslavia (A/C.3/L.332). Women should enjoy political rights everywhere, in the Non-Self-Governing Territories and elsewhere. If the Committee rejected the latter amendment, she would vote for the Indian amendment (A/C.3/L.333).

31. She would gladly support the principle underlying the USSR amendments (A/C.3/L.327/Rev.1), which helped to broaden the scope of the convention, but the changes proposed seemed to her more appropriate to a different type of document, as dealing with rights of another kind. The text prepared by the Secretary-General seemed simpler and therefore preferable. She would therefore vote against the amendments.

32. She hoped that a large majority would vote for the convention and thus register a decision of undeniable historical importance. She also hoped that the new States established under United Nations auspices would base their legislation on the principles thus solemnly proclaimed. She regretted that in Libya the electoral law adopted by the National Assembly restricted the right to vote and to be elected to men only. Lastly, she hoped that the few countries where women did not yet enjoy political rights would make an earnest effort to grant them those rights in the near future.

33. In conclusion, she recalled that women throughout the world were awaiting the Committee's decision and that, as stressed by the Charter of the United Nations, it was important, in the interest of world stability and harmony and of increasing the chances of peace, to guarantee equal rights to all human beings. The convention on political rights of women must not remain an idle document, left to gather dust in some archives. Women and women's organizations throughout the world must strive to have it ratified and implemented by the governments of their countries. That would be a great step forward on the road to universal recognition of all human rights.

CONSIDERATION OF THE DRAFT RESOLUTION SUBMITTED BY BOLIVIA, CUBA, DENMARK, DOMINICAN REPUBLIC, FRANCE, NORWAY AND SWEDEN (A/C.3/L.330) AND AMENDMENTS THERETO

34. Mr. JOUBLANC RIVAS (Mexico) wished to explain his delegation's stand on the joint draft resolution (A/C.3/L.330) and on the draft convention.

35. During the general discussion he had indicated that he would support the Netherlands amendment (A/C.3/L.329/Rev.2) and was therefore pleased that the sponsors of the draft resolution had accepted that amendment.

36. In his delegation's view, article 3 of the draft convention did not subject women to military service obligations. That observation in no way implied a reservation on the part of his delegation, but was merely intended to explain its interpretation of the article. Again, it was his understanding that, according to article 4 of the draft convention, there would have to be

an affirmative vote by the General Assembly before an invitation could be addressed to a non-member State.

37. His delegation was therefore prepared to support the first part of article 7 (up to the words: "... may become parties to this Convention"), which reproduced, in slightly different words, the text of the former Soviet Union amendment (A/C.3/L.328, point 1). As it had pointed out at a previous meeting, his delegation would have preferred the retention of paragraph 2 of the text of article 7-A in document A/2156/Add.1, but, as the majority of the Committee did not seem to share that opinion, it would not press the point.

38. On the other hand, he still thought that the second part of article 7 (starting with the words: "Any State which objects to the reservation . . .") should be deleted, as it needlessly complicated the text of article 7 and could not be applied in practice, since the convention on political rights of women was not, properly speaking, an instrument under which States assumed reciprocal obligations and since it was thus impossible to provide that it would not enter into force as between the State which had made the reservation and the State which had not accepted it.

39. As far as the colonial clause was concerned, he wished that he had been able to support the amendment submitted by Afghanistan, Iraq and Yugoslavia (A/C.3/L.332), which set forth a principle which his delegation had always defended. But, in view of the situation prevailing in certain parts of the world, it was obvious that such a provision would not be applied. To his great regret he would therefore be unable to vote for the amendment. He would support the Indian amendment (A/C.3/L.333) proposing a colonial clause which, although not entirely satisfactory, at least had the advantage of being realistic and which gave rise to the hope that, at the earliest possible opportunity, the provisions of the convention would be extended to dependent territories.

40. In regard to article 9, he reiterated that the convention really concerned the domestic policy of each Power, so that no State could legitimately call another to account before an international tribunal in order to compel it to respect the provisions of the convention. He would therefore vote against article 9, which he considered pointless.

41. Lastly, if the Committee decided to include the colonial clause in the convention, it should add to article 10 a paragraph on notifications of the application of the convention to dependent territories, as provided in paragraph *e* of the text of article 11 proposed in document A/2156/Add.1.

42. With regard to the USSR amendments (A/C.3/L.327/Rev.1), he could not accept the proposal relating to articles 1, 2 and 3 calling for the inclusion in the convention of a clause on non-discrimination. The amendment gave an incomplete list of the considerations on which discrimination could be based, as it made no mention of discrimination based on civil status or political opinions. In Mexico there was no discrimination of any kind, and particularly no political discrimination. As in every democratic country, the government employed members of the opposition party in some of its services, so long as they were properly

qualified and prepared to co-operate. He therefore considered the USSR amendment superfluous and would abstain in the vote on it.

43. The new article 4 proposed by the USSR (A/C.3/L.327/Rev.1, point 4) was rather derogatory to signatory States. If a State signed a convention it generally meant that it intended to implement its provisions, so it was unnecessary to include in the convention a clause under which States would undertake the necessary measures, including legislative measures, to ensure the effective implementation of the convention.

44. He would abstain in the vote on the new article 5 proposed by the USSR, as he had already indicated his preference for the Indian amendment to the colonial clause.

45. Finally, since he could not support article 9, he could not support the USSR amendment to it (A/C.3/L.327/Rev.1, point 5) either.

46. Mr. REYES (Philippines) wanted the text of the convention to be as clear and concise as possible, its provisions subject to the widest possible application and the possibilities of making reservations to it as few as possible. He would therefore vote for the amendment proposed orally by the United States (474th meeting) calling for the insertion of the words "related thereto" after the words "public functions" in article 3; he thought that addition made the text of article 3 clearer.

47. He also felt that the article should not be interpreted as meaning that women would be compelled to do military service. His delegation would also vote for the Netherlands amendment (A/C.3/L.329/Rev.2) to the second paragraph of the preamble of the draft convention, which would make the text more precise.

48. With regard to the provision on reservations, he would vote for article 7 of the draft convention as worded in document A/C.3/L.330 because that drafting seemed to him better than that of the original USSR amendment (A/C.3/L.328).

49. With regard to the colonial clause, he would support the amendment submitted by Afghanistan, Iraq and Yugoslavia (A/C.3/L.332). His delegation had always maintained that the provisions of any convention or any covenant on human rights should be equally applicable to dependent territories, and it could not compromise on the subject.

50. He would vote against the new article 4 proposed by the USSR (A/C.3/L.327/Rev.1, point 4) because it was unnecessary. With regard to the clause on the settlement of disputes, his delegation preferred article 9 as it appeared in the annex to the draft resolution (A/C.3/L.330).

51. With regard to the USSR proposal to include a provision relating to discrimination (A/C.3/L.327/Rev.1), his delegation had not the slightest objection in principle to the draft convention stating that no form of discrimination should be practised. However, in addition to the fact that the list of considerations which might give rise to discrimination in the USSR amendment was incomplete—as other representatives had already pointed out—the idea of national origin raised

some difficulties of interpretation. If the expression "national origin" were to be considered as synonymous with "nationality", he wished to make it clear that his Government, which did not practise any discrimination—and in particular any discrimination against women—in so far as the exercise of political rights was concerned, did nevertheless limit the enjoyment of those rights to its nationals. He therefore thought the words "on equal terms with men" in article 1 of the draft convention were quite adequate. However, should the Committee decide to stress the need for avoiding any discrimination in the matter, he would prefer that it should limit itself to the formula "without any discrimination", which appeared in the text of the USSR amendment, without stating the grounds on which such discrimination might be based.

52. He therefore asked the USSR representative to consider the possibility of deleting from the text proposed in points 1, 2 and 3 of her amendment the last phrase, beginning with the words "on the grounds of race". If the USSR delegation could not accept that suggestion, he would ask for a separate vote on the words "without any discrimination" and he would vote for them, but he would be obliged to vote against the rest of the amendment.

53. Mr. KHALATBARY (Iran) wished to indicate the three reasons why he had not spoken during the general debate. In the first place, he had wanted to help the Committee to save time. In the second place, he had always thought that, as the French representative had said, it was not for the Committee to consider whether or not the political rights of women should be recognized; its only task was to define the legal framework for the exercise of those rights. Finally, in the Commission on the Status of Women, his delegation had been one of the first to suggest the drafting of a convention on political rights of women and its general attitude on the subject was well known.

54. His delegation supported in principle the draft convention as it appeared in document A/C.3/L.330, but on some points shared the opinion just expressed by the Mexican representative.

55. With regard to the colonial clause, he would vote for the amendment proposed by Afghanistan, Iraq and Yugoslavia (A/C.3/L.332), which appeared to him the best; if that amendment was rejected, he would vote for the Indian amendment (A/C.3/L.333).

56. With regard to article 3, governments should be free to reserve to men certain functions which the women of some countries were not yet in a position to undertake.

57. He would vote against article 9 because he considered that disputes arising in connexion with a convention that did not imply reciprocal obligations between States should not be submitted to the International Court of Justice. It was better to leave it to each government to decide the appropriate time to recognize the political rights of women on its own territory. As the Syrian representative had observed, the granting of political rights to women was dependent on various conditions, such as the cultural level and degree of development and the customs and traditions of the country. Since his Government was convinced that it was better not to be precipitate, it reserved the

right to decide the best time to sign and accede to the convention.

58. Mr. LOOMES (Australia) said he would vote for the draft resolution (A/C.3/L.330) and the draft convention annexed to it, on the understanding that article 3 did not imply any obligation on the part of signatory States with regard to the financial conditions of employment in public functions. Moreover, Australia being a federation, some of the questions dealt with by the convention were within the jurisdiction of the states and not of the Central Government; Australia might therefore make some reservations in order to safeguard the rights of the states forming the Federation.

59. He would vote against the USSR amendments (A/C.3/L.327/Rev.1); in particular, he would vote against the proposal to insert in the convention a provision on non-discrimination—although he approved of it in principle—because he considered it unnecessary and because the problem of discrimination was dealt with by other United Nations organs.

60. With regard to the colonial clause, he would be obliged to vote against the amendment submitted by Afghanistan, Iraq and Yugoslavia (A/C.3/L.332). Some dependent territories had not yet reached such a stage as would make it possible to apply the provisions of the convention to them. On the other hand, he saw no objection to the Indian amendment (A/C.3/L.333), which did not provide for the automatic application of the convention to dependent territories, and he would vote for it.

61. Miss VAN DER MOLEN (Netherlands) doubted the usefulness of articles 5 and 6 of the draft convention annexed to the joint draft resolution, which provided that a State could accede to the convention even before the instrument had come into force. In view of the Secretariat's explanations, however, she understood that those provisions reflected a new tendency in modern international law to make international instruments as flexible as possible. While she still thought it highly improbable that any State would wish to accede to the convention on the political rights of women before it had entered into force, she would not oppose articles 5 and 6.

62. Her delegation regarded article 7 as indispensable. Unless the possibility of submitting reservations was provided for, very few States would be prepared to ratify the convention and there would be considerable danger of its never coming into force. If the women and the women's organizations of a democratic nation did not approve of the reservations of their government, they would always be free to express their disapproval. On the other hand, if a government refused to ratify the convention because it could not make reservations, the women and the women's organizations concerned would encounter serious difficulties when they tried to draw public attention to the question. Nevertheless, while governments had to be allowed to make reservations, they should not make too many, and the reservations should be made admissible only in so far as they did not conflict with the purposes of the convention. Another point in favour of adoption of the article was that it was in conformity with the opinion of the International Court of Justice, handed down on

28 May 1951, on the question of reservations to the genocide convention.<sup>1</sup>

63. As regards the settlement of disputes which might arise concerning the "interpretation or application" of the convention (article 9), she still had some doubts in the matter and hoped that the Secretariat would provide further explanations. Her delegation saw no objection to the International Court of Justice being consulted about the "interpretation" of an article of the convention; on the other hand, a major difficulty arose in connexion with the question of "application" of the convention. Any State signing the convention undertook to amend its own legislation in such a way as to give effect to the provisions of the convention, without assuming explicit obligations as to the scope of such amendments. But any State might claim that another State was not "fully" discharging the obligations it had assumed, or, in other words, that the changes made by that State in its own legislation were insufficient. The question then arose whether the State accused could be brought before the International Court of Justice and obliged by that Court "fully" to apply the provisions of the convention. If so, the conclusion would be that one State could force another to make changes in its national legislation which it did not wish to make, a situation which would obviously constitute interference in the internal affairs of States.

64. The Netherlands delegation therefore reserved the right to ask for a separate vote on article 9 of the draft convention, or at least on the word "application".

65. It would vote against the USSR amendments (A/C.3/L.327/Rev.1) for the reasons already put forward by other delegations.

66. It would also vote against the amendment proposed in document A/C.3/L.332 and in favour of the Indian amendment (A/C.3/L.333). The latter amendment offered a reasonable solution of a very complex problem.

67. Mr. PLEIC (Yugoslavia) said that the problem of the colonial clause had been settled by the General Assembly when, by its resolution 422 (V), it had decided that such a clause should be included in the draft covenant on human rights. The clause had, moreover, been included in several international instruments drawn up under United Nations auspices.

68. He clearly understood the factors which made it difficult for some delegations to accept the colonial clause, but those factors could not be allowed to have weight when the interests of the peoples of the Non-Self-Governing Territories were at stake. Unfortunately, a compromise on the matter was impossible, and any attempt to reach such a compromise would result either in a provision which was, for all practical purposes, a colonial clause, or in one which, like the Indian amendment, amounted to elimination of the clause.

69. For that reason he hoped the Committee would reject the Indian amendment in favour of the amendment, of which he was a sponsor, which appeared in document A/C.3/L.322.

<sup>1</sup> See *Reservations to the Convention on Genocide, Advisory Opinion: I.J.C. Reports 1951, p. 15.*



70. Mr. DE MORAES (Brazil) supported the Netherlands amendment (A/C.3/L.329/Rev.2), which improved the text of the second paragraph of the preamble to the draft convention.

71. He approved of the principle behind the USSR amendment calling for inclusion of a provision referring to discrimination, but, like other representatives, he felt that it was out of place in the draft convention on the political rights of women.

72. He shared the United States representative's view that article 3 did not place women under the obligation of performing military service, and he would vote in favour of the article, subject to that interpretation.

73. He agreed with the representative of Mexico that the second part of article 7 served no useful purpose and should be deleted. He further agreed with that representative that article 9 should be deleted.

74. If, however, the Committee decided to adopt a clause on the settlement of disputes, he would vote in favour of article 9 (A/C.3/L.330, annex) and against the USSR amendment thereto (A/C.3/L.327/Rev.1, point 5).

75. Finally, as regards the colonial clause, he would support the Indian amendment (A/C.3/L.333) and would vote against the amendment appearing in document A/C.3/L.332.

76. Mr. VILLAMAR CONTRERAS (Guatemala) agreed with the representative of Mexico concerning the advisability of deleting the second part of article 7 and article 9.

77. He would support the Netherlands amendment (A/C.3/L.329/Rev.2) for the reasons he had already made clear during the general discussion.

78. He would support the USSR amendment calling for inclusion in the draft convention of a clause on discrimination, again for reasons which he had already explained during the general discussion. He would have been prepared to endorse the new article 4 proposed by the USSR delegation (A/C.3/L.327/Rev.1, point 4), which was not merely a simple declaration and would have made the convention a really effective instrument, but he would bow to the will of the majority, which apparently did not favour that text.

79. As regards the colonial clause, he would support the amendment appearing in document A/C.3/L.332 rather than the new article 5 proposed by the USSR delegation (A/C.3/L.327/Rev.1, point 4).

80. Mr. COX (Secretariat), replying to questions raised in connexion with article 9, said that that provision was standard and fairly usual. It had seemed natural, since the convention, if adopted, would be adopted under United Nations auspices, that any disputes to which it might give rise should be referred to the International Court of Justice.

81. Nevertheless, he understood the Netherlands representative's doubts and he pointed out that the convention was not a contract but a law-making instrument, under which States mutually undertook to extend the benefits provided for therein to their own nationals.

82. Moreover, recourse to the International Court of Justice was nothing new; a similar clause had already

appeared in conventions of an equally broad legal character, such as the Convention on Genocide, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the Convention relating to the Status of Refugees and the Convention on the Declaration of Death of Missing Persons.

83. Some representatives feared that the possibility of bringing a dispute before the International Court might lead to interference in matters within the domestic jurisdiction of States. He pointed out that that question arose in connexion with all instruments relating to human rights. It was understood that any State which agreed to consider itself bound by such a convention thereby accepted the possibility of other States raising questions concerning its domestic legislation.

84. He understood the question to relate to the juxtaposition of the words "interpretation" and "application" in article 9, and suggested that it was therefore more a matter of form than of substance. If a dispute arose between contracting States on the interpretation of the convention, it would in fact have a bearing upon the application of the convention as well, since it would cause each State to explain how it understood and applied the provisions of the instrument. There was thus no essential difference between the ideas of "interpretation" and "application".

85. As regards the second part of article 7, it was in conformity with General Assembly resolution 598 (VI), in which the General Assembly recommended the insertion in multilateral conventions of provisions relating to the admissibility or non-admissibility of reservations and the effect to be attributed to them.

86. Mrs. SPERANSKAYA (Union of Soviet Socialist Republics), replying specifically to the representatives of Mexico and Brazil, who had stated their intention of voting against the USSR amendment to the first three articles of the draft convention (A/C.3/L.327/Rev.1) because discrimination did not exist in their countries and the amendment was therefore superfluous, pointed out that there was no discrimination in the USSR. Her delegation had nevertheless submitted its amendments because the convention would be open to signature and ratification, not by a single State, but by all States, and the discussions in the Commission on the Status of Women and in the Third Committee had shown that discriminatory measures existed.

87. Replying to the Indonesian representative, who thought the list of grounds of discrimination should be deleted because it was incomplete, she said she was prepared to accept any proposal for completing the list, but refused to withdraw that amendment because it specified various grounds of discrimination.

88. Mrs. AFNAN (Iraq) said she had listened with interest when the United Kingdom representative had asked the authors of the joint amendment (A/C.3/L.332) to relinquish their draft and understand the difficulties which the administering Powers had to overcome. The authors of the amendment could neither remain indifferent to the prospect of a number of delegations being prevented from voting for the convention on account of the inclusion of the amendment, nor deaf to the advice of those who urged them not

to press requirements which would be of help to no one and would make the convention fanciful.

89. The Iraqi delegation could not, however, feel sympathy for the technical administrative difficulties to which the United Kingdom representative had drawn attention, for it knew that if the United Kingdom could not ratify a convention in the name of the Non-Self-Governing Territories, it nevertheless had the power to declare war in their name. On the other hand, it understood the real difficulties of the administering Powers perfectly well, for those difficulties were like those encountered by all the under-developed countries; but it could not ask less of others than it did of itself.

90. She would like to be able to show the spirit of compromise advocated by the Indian representative, but she wondered what would be involved in such a compromise, what would have to be given up and to whom belonged what was to be given up. The joint amendment merely stated that the provisions of the convention should be applicable to all Non-Self-Governing and Trust Territories. If it was the principle of universality on which a compromise had to be made, it would be relevant to ask how the United Nations could enter into contact with the female part of the population except through the Administering Authorities. If the proposal was to relinquish the idea that all must be given the opportunity to benefit from the provisions of a United Nations convention it might be asked who, other than the administering Powers, could grant such opportunity. She asked whether it was desired that those who possessed the rights should give them up through the intermediary of someone else. She stressed the fact that the peoples whose status did not give them direct access to the benefits of the Charter of the United Nations would, in virtue of the clause contained in the joint amendment, become parties to a convention that was to be ratified by the States Members of the United Nations.

91. The Indian representative thought an effort should be made to reach as general an agreement as possible and to secure the co-operation of the major States. She could accept that idea if she knew on what basis a general agreement was to be reached, and which were to be regarded as major States for that purpose. Were they to be the States which ratified the convention immediately because they already granted political rights to women, those which would like to ratify it because they did not yet grant those rights or those which would be unable to adopt it if it became applicable to all the Non-Self-Governing Territories? Then the basis of the general agreement would be the Indian amendment (A/C.3/L.333), which would permit the Administering Authorities to exclude from the benefits of the convention, at their discretion, a number of territories to which they could make the convention applicable subsequently. That, however, was a quantitative basis which left the question of principle unanswered. She would like to have some explanation of what was meant by "territories for which it bears international responsibility". The fact was that, in another Committee, the French authorities refused to admit that they had any international responsibility towards the millions of persons whom they governed.

92. Equality of political rights as between men and women was of importance only because it would destroy a deep-rooted psychological condition. Political rights in themselves had little value. The United Nations was trying to secure the adoption of covenants on human rights affirming economic, cultural, social and civil equality between men and women. It was, however, to be supposed that the Administering Authorities which considered it difficult to apply the convention on political rights of women would find it even more weighty technical, administrative and other reasons for not granting the benefit of the covenants to some of the peoples for which they were responsible.

93. The Iraqi delegation highly appreciated the Indian representative's intentions and his practical wisdom, but it would not be able to follow his example. The texts of the joint amendment (A/C.3/L.332) and of the amendment submitted by India (A/C.3/L.333) had already appeared in the form of colonial clauses in the Secretary-General's memorandum (A/2156/Add.1, annex II, articles 8-A and 8-B), but the text proposed in the amendment submitted by India would be absolutely out of place in a convention for the protection of human rights. If articles 8-A and 8-B had both appeared in the draft convention (A/C.3/L.330, annex) the Committee would have known what attitude to adopt and would have gained time, instead of having to choose either one or the other. The Iraqi delegation regretted that situation, for if both articles had been included it would have felt responsible only for its vote and not for its inability to defend a principle that was dear to it.

94. Mr. YOACHAM (Chile) said he would vote for the joint amendment submitted by Afghanistan, Iraq and Yugoslavia (A/C.3/L.332).

95. So far as the second part of article 7 and article 9 were concerned, he shared the Mexican representative's opinion and thought they should be deleted.

96. He would vote against the Indian amendment (A/C.3/L.333), which would enable discriminatory distinctions to be drawn between one territory and another.

97. As for the USSR amendments to the three basic articles (A/C.3/L.327/Rev.1), he thought the original text was more comprehensive.

98. He would abstain when the Netherlands amendment (A/C.3/L.329/Rev.2) was put to the vote, because the possibility of applying it depended on the legislation of each country.

99. Mr. ZAMOR (Haiti), while expressing the fear that article 9 of the draft convention might be a source of disagreement, gave his delegation's support to the draft resolution (A/C.3/L.330), with the proviso that the Haitian Government would be unable to accede to the convention before 1957.

100. He would support the Indian amendment (A/C.3/L.333) because he considered that the administering Power should assume responsibility for the territories it administered which could not accede to the convention themselves.

101. Mr. LOPEZ VILLAMIL (Honduras) supported the draft resolution submitted by seven Powers (A/C.3/L.330). So far as the preamble was concerned,



however, he was afraid that neither the joint draft resolution nor the Netherlands amendment clearly expressed the authors' intention.

102. In article 3, he would prefer the word "hold" to be replaced by the words "have access to" (*optar*), for in some countries, although women could neither vote nor be elected, they could hold public office.

103. In his view, articles 7 to 9 were out of place in the convention, for the reasons given by the representative of Mexico and because he was afraid they would result in interference in the internal affairs of States.

104. The USSR amendments (A/C.3/L.327/Rev.1 and A/C.3/L.328) seemed superfluous.

105. He would support the Indian amendment (A/C.3/L.333) for the reasons already given by the Guatemalan representative, that is, in order to keep the declaratory nature of the convention.

106. Mrs. NOVIKOVA (Byelorussian Soviet Socialist Republic) pointed out that the right to vote, the right to be elected and the right to hold public office and discharge public functions were only aspects of the problem. In view of the situation in some countries, it was not enough to proclaim rights: they must be guaranteed. Hence the great value of the USSR amendments (A/C.3/L.327/Rev.1) to the first three articles of the draft convention in preventing all discrimination.

107. The article 4 which the USSR proposed (A/C.3/L.327/Rev.1, point 4) for addition to the draft was the logical sequel to the first three articles and the safeguard of their provisions. It took into account the fact that many States proclaimed the political equality of women without putting it into effect, and it would provide a means of placing such States under an obligation to take definite action for that purpose.

108. The article 5 proposed by the USSR (A/C.3/L.327/Rev.1, point 4) was a logical sequel to the first four. In many countries and Non-Self-Governing and Trust Territories, women were still slaves. Many delegations had said that women were not ready to discharge all public functions because their cultural level was too low. The representative of France had even said that the situation of women in the Non-Self-Governing and Trust Territories did not cause him any qualms of conscience. That was not surprising, because no one who acquired a conscience could remain a colonialist. Czarist Russia had kept Asian women in servitude to society and the family. No sooner, however, had women been granted and guaranteed the exercise of political rights than they had displayed their abilities and taken an active part in political life, as the USSR had demonstrated in the case of Uzbekistan.

109. The Byelorussian delegation, therefore, would support the USSR amendments, but would be unable to vote for the other amendments, which did not strengthen the text of the convention.

110. Miss VAN DER MOLEN (Netherlands) thanked the representative of the Secretariat for his explanations. From what he had said she understood that some other conventions contained clauses similar to article 7 and article 9, but she wondered how many of them had been ratified. She would like the convention on political rights to be ratified by as large a number of States as possible.

111. Unlike the representative of the Secretariat, she was of the opinion that there was an enormous difference between "interpretation" and "application", and she was sorry the occasion did not lend itself to a legal discussion.

112. Since, however, Mr. Cox's arguments had failed to convince her, she would be of the opinion that the words "or application", which were ambiguous, should be deleted from article 9 so as to enable a larger number of States to accept the draft convention.

113. Mr. REYES (Philippines) noted that the suggestion he had made to the USSR representative regarding the completion or deletion of the list of grounds of discrimination contained in her amendment (A/C.3/L.327/Rev.1) had not been favourably received.

114. When the amendment was put to the vote, therefore, he would ask for a separate vote on the words "without any discrimination".

115. His delegation attached the greatest importance to non-discrimination on account of political opinion—which was omitted from the USSR amendment—because it involves such fundamental human rights as freedom of thought, of conscience and of expression.

116. Mr. HESSEL (France), Mr. HUNEIDI (Syria), Mr. ZAMOR (Haiti), Mr. BAROODY (Saudi Arabia) and Mr. MANI (India) took part in an exchange of views as to the possibility of hearing the last speakers on the list and proceeding to the vote immediately.

117. Mr. PAZHWAK (Afghanistan) said the voting might be less simple than it seemed. Voting by division required a great deal of time and it must be expected that there would be several roll-calls. Furthermore, several delegations still had to be given explanations on a number of points. Lastly, since it was not a draft resolution that was being voted on, but a draft convention, the explanations of votes would be extremely important.

118. He therefore moved the adjournment of the meeting under rule 117 of the rules of procedure.

119. The CHAIRMAN put the motion for adjournment to the vote.

*The motion was adopted by 27 votes to 15, with 10 absentions.*

The meeting rose at 1.15 p.m.