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COMMISSION ON HUMAN RIGHTS

Twentieth Session

SUMMARY RECORD OF THE EIGHT HUNDRED AND TWELFTH MEETING

Held at Headquarters, New York,
on Saturday, 14 March 1964, at 4.10 p.m.

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* Incorporating, in accordance with a decision taken at the 814th meeting, the summary record distributed under provisional form as document E/CN.4/SR.812/Add.1.

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PRESENT:

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| <u>Chairman:</u> | Mr. PONCE Y CARBO | (Ecuador) |
| <u>Rapporteur:</u> | Mr. IGNACIO-PINTO | Dahomey |
| <u>Members:</u> | Mr. ERMACORA | Austria |
| | Miss AITKEN | Canada |
| | Miss KRACHT | Chile |
| | Mr. REDONDO | Costa Rica |
| | Mr. GRAULUND HANSEN | Denmark |
| | Mr. ALCIVAR | Ecuador |
| | Mr. VEGA GOMEZ | El Salvador |
| | Mr. BOUQUIN | France |
| | Mr. S.K. SINGH | India |
| | Mr. SPERDUTI | Italy |
| | Miss TABBARA | Lebanon |
| | Mr. DOE | Liberia |
| | Mr. BEAUFORT | Netherlands |
| | Mr. QUIAMBAO | Philippines |
| | Mr. RESICH | Poland |
| | Mr. PANCARCI | Turkey |
| | Mr. NEDBAILO | Ukrainian Soviet Socialist Republic |
| | Mr. MOROZOV) | Union of Soviet Socialist |
| | Mr. OSTROVSKY) | Republics |
| | Sir Samuel HOARE | United Kingdom of Great Britain and Northern Ireland |
| | Mrs. TREE) | United States of America |
| | Mr. MEANS) | |
| <u>Observer from a Member State:</u> | Mr. BELTRAMINO | Argentina |
| <u>Representatives of specialized agencies:</u> | Mr. FARMAN-FARMAIAN | International Labour Organisation |
| | Mr. BEHRSTOCK | United Nations Educational, Scientific and Cultural Organization |

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PRESENT (continued):

Secretariat:

Mr. HUMPHREY

Director, Division of Human
Rights

Mr. LANDAU

Secretary of the Commission

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PERIODIC REPORTS ON HUMAN RIGHTS (E/CN.4/860 and Add.1, 861 and Add.1-2, 872 and Add.1; E/CN.4/L.714/Rev.1 and Add.1, L.716) (continued)

Mr. S.K. SINGH (India) observed that the debate at the previous meeting on draft resolutions E/CN.4/L.714/Add.1 and E/CN.4/L.716 had finally focused on the United States proposal to incorporate paragraph 5 of the latter text in the former. In the Indian delegation's opinion, that paragraph provided for measures which were not sanctioned by the Charter and were contrary to the practice of the United Nations organs, in particular the Economic and Social Council and the Commission on Human Rights. The question of consultation by the Economic and Social Council with non-governmental organizations was dealt with in Article 71 of the Charter, and that Article had to be interpreted in the light of Article 2 (7). Moreover, the Economic and Social Council had adopted two resolutions on the subject. Resolution 288 (X) provided that the arrangements for consultation should not be such as to overburden the Council or transform it from a body for the co-ordination of policy and action (para. 13), and that the arrangements for consultation between an ad hoc committee to be appointed by the Commission on Human Rights and organizations in categories A and B and on the register should follow the lines approved for commissions of the Economic and Social Council, unless the Council decided to reverse its earlier policy and direction in the matter. The Council it should be emphasized, had consistently held on the policy line as prescribed in its resolutions 288 (X) and 454, (XIV). So far as concerned communications containing complaints, moreover, the Council had taken note in resolution 454 (XIV) of the report of the Committee on Non-Governmental Organizations (E/2270), in which the Committee had expressed the view that communications fell into two categories, and had proposed that the Secretary-General should be responsible for consideration of the category of communications concerned with complaints by non-governmental organizations of violations of human rights. Thus, to make the ad hoc Committee responsible for considering such communications would be contrary to those two resolutions. Yet that was the purpose of paragraph 5 of draft resolution E/CN.4/L.716. In that connexion, he drew the Committee's attention to the substantial change which had taken place in the United States delegation's position on the question within the space of a few years. Paragraphs 52 to 55 of the summary record of the 661st meeting of the Economic and Social Council held on 28 July 1952, (E/SR.661) clearly

(Mr. S. K. Singh, India)

showed that at that time the United States representative had expressed views diametrically opposite to those he had put forward now arguing in favour of paragraph 5 of draft resolution E/CN.4/L.716.

His delegation would vote against the United States proposal if it was put to the vote, and would abstain on draft resolution E/CN.4/L.714/Rev.1 as a whole if the proposal was adopted. The Commission on Human Rights and the United Nations in general could not do effective work unless they adhered to the principles of the Charter and established practice, and respected the hierarchy which had been instituted among the various organs and the practices which had been evolved through the interplay of all relevant factors.

Mr. BOUQUIN (France) said that while the question raised by the Indian representative was extremely interesting, the Commission would be ill-advised to involve itself in a discussion on the role of the non-governmental organizations. There would seem to be some confusion, moreover, between communications concerning violations of human rights and comments of non-governmental organizations on the situation in the field of human rights. The Indian representative had rightly referred to Article 71 of the Charter, but the Commission should also bear in mind resolution 888 B (XXXIV), to which the French delegation had already referred, in paragraph 10 of which the Economic and Social Council had invited the non-governmental organizations in consultative status to submit comments and observations of an objective character on the situation in the field of human rights to assist the Commission in its consideration of the summaries of periodic reports. That was the resolution to which the sponsors of draft resolution E/CN.4/L.714/Rev.1 had referred. Although they could not incorporate paragraph 5 of draft resolution E/CN.4/L.716 in their text, as the United States had proposed, they thought that a possible compromise acceptable to all parties might be the insertion - perhaps after sub-paragraph (f) of paragraph 3 (former paragraph 4) of draft resolution E/CN.4/L.714/Rev.1 - of a new paragraph 4 reading:

"Requests the Secretary-General to transmit to the Committee, for the purposes mentioned in paragraph 3 (d) above, copies of the comments and observations received from non-governmental organizations in consultative status".

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(Mr. Bouquin, France)

Since that repeated the first part of paragraph 5 of draft resolution E/CN.4/L.716 and contained a clear reference to paragraph 3 (d), it should be acceptable to both the Soviet and the United States delegations and should meet the Indian representative's objections.

Mr. ERMACORA (Austria) pointed out that paragraphs 2 and 5 of Economic and Social Council resolution 624 (XXII) clearly defined the role of the non-governmental organizations, and specified that their function was limited to co-operating with the Commission on Human Rights in the drafting of special reports. If the Commission adopted the United States proposal, therefore, it would become a legal necessity to amend the resolutions of the Economic and Social Council. On the other hand, the text proposed by France was fully consistent with the Council's resolutions and the Commission's practice.

Mr. MEANS (United States of America) said that although his delegation would have preferred its own text, it was prepared to accept the compromise formula proposed by France.

Mr. MOROZOV (Union of Soviet Socialist Republics) said that his delegation would raise no objection to the wording proposed by France, on the understanding that its adoption would in no way be equivalent to a decision of principle and that the transmission of communications to the Ad Hoc Committee would not set a precedent but would merely assist that body in submitting to the Commission on Human Rights recommendations on the order in which the information transmitted by non-governmental organizations should be used. The question of the order of use and content of communications and that of the amount of work necessary for their compilation would thus be taken up in turn in the Committee and then in the Commission on Human Rights without any decision being taken on the provisions of principle to which the Soviet and Indian delegations had already referred.

Mr. S.K. SINGH (India) pointed out that the compromise which the Commission seemed to have reached was exactly the same as the one he had suggested at the morning meeting. Believing as it did that the Commission must comply with the provisions of the Charter and the resolutions of the Economic and Social Council, his delegation would be able to accept the French text, which met those two requirements.

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Sir Samuel HOARE (United Kingdom) said that although he was prepared to vote for the draft resolution, he must reserve his Government's position on its possible financial implications.

Mr. MOROZOV (Union of Soviet Socialist Republics) also reserved his Government's position on the financial implications of the draft resolution, which he hoped would not involve any additional expenditure.

Mr. BOUQUIN (France) announced that the delegation of Costa Rica had asked to join the sponsors of the draft resolution.

Draft resolution E/CN.4/L.714/Rev.1, as orally amended by the sponsors, was adopted unanimously.

Mr. MEANS (United States of America) said that he had voted for the draft resolution on the understanding that it implied that the Ad Hoc Committee would establish its own procedure for the utilization of the reports and comments on Governments transmitted by non-governmental organizations.

Mr. MOROZOV (Union of Soviet Socialist Republics) opposed that interpretation of the text adopted, which in no way authorized the Committee to take a final decision on any matter; its decisions would have no final value until they had been examined by the Commission on Human Rights and approved by the Economic and Social Council. The Committee was therefore not in a position to give instructions to the Secretary-General, and it was in no way empowered to maintain international relations with States. His delegation felt therefore that there should be no differences of interpretation and that the text just adopted should be strictly adhered to. Complaints against Member States by non-governmental organizations should be considered strictly in accordance with the procedures laid down by the Economic and Social Council.

The CHAIRMAN announced that following consultations with the sponsors of draft resolution E/CN.4/L.714/Rev.1, twenty delegations had agreed that the Committee on Periodic Reports on Human Rights should be composed of the following eight members: Costa Rica, Dahomey, France, Philippines, Poland, Union of Soviet Socialist Republics, United Kingdom and United States of America. Only one delegation had reserved its position. He proposed that the countries he had named should be elected to the Committee

Mr. ERMACORA (Austria) said that his delegation would have liked to be a member of the Committee; it had always taken a great interest in the question of the examination of periodic reports, and at the seventeenth session of the Commission had sponsored the first proposal (E/CN.4/L.587) aimed at the appointment of a Committee, composed of members of the Commission, responsible for examining the summaries of periodic reports. However, Austria had not been elected, the reason given being that the four members of the Commission which were permanent members of the Security Council should automatically be members of the Committee. Yet there was no provision in the rules of procedure of the Economic and Social Council or of its functional commissions which made the permanent members of the Security Council responsible for directing the work of the Commission. The reason which the Austrian delegation had been given was contrary to the principle of the equality of States proclaimed in the Charter and to rule 12 of the rules of procedure of the functional commissions. His delegation could not accept the principle which had been followed in appointing the members of the Committee, and since the procedure adopted was completely unjustified, it could not be regarded as creating a precedent.

Mr. MOROZOV (Union of Soviet Socialist Republics) asked for a vote on the membership of the Committee.

The countries named were elected to the Committee by 20 votes to 1.

Mr. ERMACORA (Austria) said that he had cast a negative vote not because he objected to the participation of any of the members elected but in order explicitly to denounce the principle followed in choosing them.

PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

- (a) DRAFT PRINCIPLES ON FREEDOM AND NON-DISCRIMINATION IN THE MATTER OF RELIGIOUS RIGHTS AND PRACTICES (Sales No. 60.XIV.2; E/CN.4/809 and Add.1-10; E/CN.4/L.602) (continued)
- (b) DRAFT PRINCIPLES ON FREEDOM AND NON-DISCRIMINATION IN THE MATTER OF POLITICAL RIGHTS (Sales No. 63. XIV.2; E/CN.4/837 and Add.1-7, 848 and Add.1);
- (c) STUDY OF DISCRIMINATION IN RESPECT OF THE RIGHT OF EVERYONE TO LEAVE ANY COUNTRY, INCLUDING HIS OWN, AND TO RETURN TO HIS COUNTRY (E/CN.4/Sub.2/220; E/CN.4/846, 869 and Add.1-2)

Mr. GUIAMBAO (Philippines) said that the Commission had not had time to consider item 9 (c) of its agenda, although it had been required to do so at its twentieth session under the terms of resolution II (XIX) adopted last year. He therefore proposed the adoption of a draft resolution worded as follows: /...

(Mr. Quiambao, Philippines)

"The Commission on Human Rights,

"Taking into account the study of discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country, submitted to the Sub-Commission at its fifteenth session by its Special Rapporteur,

"Decides, owing to lack of time, to postpone consideration of this item to its next session;

"Requests the Secretary-General, if necessary, to make arrangements for the Special Rapporteur to attend the session of the Commission on Human Rights in 1965."

Mr. MOROZOV (Union of Soviet Socialist Republics) said that although the Commission had been able to consider only a few of the items on its agenda, he for one had always attached great importance to the different aspects of item 9. In connexion with item 9 (a), for example, the Commission had merely prepared a preliminary draft on which neither the Commission itself nor the Economic and Social Council could take a hasty decision. Accordingly, if it was desired to establish an order of priority for 1965 - which seemed to his delegation to be premature - the possibility would have to be considered of deferring the text submitted by the Working Group to the Commission on Human Rights for more detailed consideration.

Item 9 (b) also concerned a very important question which had been on the agenda for a very long time, and which in many countries aroused much greater interest than did the question just mentioned by the representative of the Philippines. In his view, therefore, the study of discrimination in the matter of political rights should be considered before the study mentioned by the Philippine delegation, which would in effect mean considering the two items 9 (b) and 9 (c) in the order in which they appeared in the agenda.

Mr. QUIAMBAO (Philippines) said that the aim of the draft resolution which he had submitted was not that the study relating to agenda item 9 (c) should be considered before the study on item 9 (b), but that the former item should be retained on the agenda and that the necessary arrangements should be made to invite the Special Rapporteur, Mr. Ingles, to participate in the work of the Commission, as had been done in the case of Mr. Santa Cruz, the author of the study of discrimination in the matter of political rights.

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Mr. MOROZOV (Union of Soviet Socialist Republics) said that with a view to compromise he would be prepared to agree to the Commission's proposing that the two questions should be considered at the twenty-first session and postponing a decision on the order of priority until that time.

The CHAIRMAN asked the Philippine delegation whether it would agree, in accordance with the Soviet suggestion, to items 9 (b) and 9 (c) both being mentioned in its draft resolution.

Mr. QUIAMBAO (Philippines) said that his delegation had no objection to that procedure.

Sir Samuel HOARE (United Kingdom) agreed with the Soviet representative that there was no need to settle the question of priorities immediately. He also agreed with the Philippine representative that the Special Rapporteur should be authorized to attend the session if the study of discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country came up for consideration. He therefore proposed that the Philippine text should be amended to read:

"The Economic and Social Council,

"Noting that the Commission on Human Rights hopes to initiate at its twenty-first session the consideration of the study of discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country, adopted by the Sub-Commission at its fifteenth session;

"Requests the Secretary-General to arrange for the Special Rapporteur, Mr. José Ingles, to be present at the discussion of his report by the Commission on Human Rights."

Mr. QUIAMBAO (Philippines) accepted that proposal.

The CHAIRMAN put to the vote the draft resolution submitted orally by the Philippine delegation and amended to take account of the Soviet and United Kingdom proposals.

The Philippine draft resolution, as amended, was adopted unanimously.

Following an exchange of views in which Mr. MOROZOV (Union of Soviet Socialist Republics), Sir Samuel HOARE (United Kingdom) and Mr. QUIAMBAO (Philippines) took part, The CHAIRMAN suggested that it should be left to the

(The Chairman)

Secretariat to draft the final text of the draft resolution, taking account of the oral proposals that had been adopted.

It was so decided.

- (d) REPORT OF THE SIXTEENTH SESSION OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES (E/CN.4/873; E/CN.4/L.718)

Mr. ERMACORA (Austria) recalled that in its resolution 6 (XVI) the Sub-Commission had requested the Secretary-General to print as one publication the memorandum by the Secretary-General (E/CN.4/Sub.2/221) and the compilation of texts of international instruments relating to special protective measures for ethnic, religious or linguistic groups (E/CN.4/Sub.2/214). His delegation's draft resolution (E/CN.4/L.718) recommended that the Economic and Social Council should ratify the Sub-Commission's decision. The financial implications of that project were indicated in annex III of the Sub-Commission's report (E/CN.4/873). They would be very slight, for the publication would be issued by the photo-offset process and could therefore be printed by the Secretariat. His delegation's proposal was essentially an administrative one.

Sir Samuel HOARE (United Kingdom) wished to know whether the words "within the frame of appropriated means" in the last operative paragraph of the resolution which the Economic and Social Council was recommended to adopt (E/CN.4/L.718) meant that an additional appropriation would be required to cover the cost of publication. If that was the case, his delegation could not approve the Austrian proposal.

Mr. QUIAMBAO (Philippines) said that priority should perhaps be given to issuing a new edition of the Study of the Right of Everyone to be Free from Arbitrary Arrest, Detention or Exile.

The CHAIRMAN asked the Secretary-General's representative to state his views on the financial implications of the Austrian draft resolution.

Mr. HUMPHREY (Director, Division of Human Rights) said that he understood the words "within the frame of appropriated means" to mean that the Secretary-General would not have the publication printed if additional funds would be required for that purpose. When the draft resolution on the matter (E/CN.4/Sub.2/L.351) had been before the Sub-Commission, the Secretary-General

(Mr. Humphrey, Director, Division of
Human Rights)

had circulated a note on the financial implications of that proposal (E/CN.4/Sub.2/L.351/Add.1), in which it was stated that in order to provide the costs for the printing of the compilation and memorandum in 1964 it would be necessary to seek a supplementary appropriation.

Mr. MOROZOV (Union of Soviet Socialist Republics) said that the publication requested by the Austrian delegation did not justify a supplementary appropriation. It would be of scientific rather than practical value, and numerous studies on questions relating to minorities were already available. The Commission would have to deal with many more important and urgent questions during the next two years. His delegation was therefore unable to support the Austrian draft resolution.

The Austrian draft resolution (E/CN.4/L.718) was rejected by 4 votes to 3, with 13 absentions.

Mr. QUIAMBAO (Philippines) proposed that the Commission should adopt the following draft resolution:

"The Commission on Human Rights

"Takes note of the report of the sixteenth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/873".

The draft resolution was adopted unanimously.

DESIGNATION OF 1968 AS INTERNATIONAL YEAR FOR HUMAN RIGHTS (E/CN.4/867; E/CN.4/L.717 and Add.1)

Mr. REDONDO (Costa Rica) noted that in the revised version of its draft resolution (E/CN.4/L.717/Rev.1) his delegation had deleted the entire section of the original draft which was to have been recommended to the General Assembly for adoption. It had also taken account of the views expressed at the 809th meeting regarding the appointment of a committee and the possible convening of an international conference in 1968. He wished to point out, however, that an important idea had been omitted from the second operative paragraph of the revised draft resolution, as circulated, and that the following passage should be added after the words "the holding of an International Conference in 1968": "to review

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(Mr. Redondo, (Costa Rica))

the progress which has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights, evaluate the effectiveness of the methods and techniques used by the United Nations in the field of human rights, and formulate and prepare a programme of further measures to be taken subsequent to the celebration of Human Rights Year", the remainder of the paragraph being deleted.

He would support the Ukrainian draft resolution (E/CN.4/L.721) since it embodied the very proposals originally made by his own delegation (E/CN.4/L.717). He suggested that three conventions should be added to the list in operative paragraph 1, i.e., the ILO Convention concerning forced or compulsory labour - since the question of forced labour had been the subject of two conventions - the ILO Convention concerning the rights of association and combination of agricultural workers, and the ILO Convention concerning freedom of association and protection of the right to organize.

Mr. NEDBALLO (Ukrainian Soviet Socialist Republic) said that his delegation's draft resolution (E/CN.4/L.721) was in fact based on the text of the original Costa Rican proposal (E/CN.4/L.717). His delegation had added the Convention on the political rights of women and the ILO Convention concerning equal remuneration for men and women workers for work of equal value to the list of conventions that Member States were to be invited to ratify before 1968, in keeping with the suggestion made by the representative of the Commission on the Status of Women at the 810th meeting (E/CN.4/SR.810). His delegation would be willing to consider adding to the list the three conventions suggested by the Costa Rican representative.

Since the revised Costa Rican draft resolution (E/CN.4/L.717/Rev.1) and the Ukrainian draft resolution (E/CN.4/L.721) were complementary, he suggested that, if adopted, they should be consolidated into a single text.

He pointed out that some mistakes had slipped into the text of his delegation's proposal. The words "or during" should be deleted from operative paragraphs 1 and 2, the words "in particular" in operative paragraph 1 should be replaced by "inter alia", and the last convention listed in operative paragraph 1, being an ILO convention, should appear immediately after the other ILO conventions.

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Sir Samuel HOARE (United Kingdom) observed that the Commission could not adopt both the Costa Rican draft resolution (E/CN.4/L.717/Rev.1) and that of the Ukrainian SSR (E/CN.4/L.721). The main difference between the original Costa Rican draft (E/CN.4/L.717) and its revised version, which he preferred, lay in the fact that under the revised draft it was the proposed committee which was to consider the convenience of inviting all Member States to sign, ratify and apply the conventions already approved in the field of human rights. It was not the Commission's responsibility to draw up an exhaustive list of such conventions, and it was better to leave that task to the Committee, which could consult the specialized agencies. The list proposed was clearly incomplete; for example, he could suggest two additions, the Convention on the nationality of married women and the Convention on consent to marriage, minimum age of marriage and registration of marriages.

With regard to the Ukrainian draft resolution, he wished to point out that the General Assembly already had before it the draft International Covenants on civil and political rights and on economic, social and cultural rights. The word "recommends" was therefore inappropriate, since the General Assembly would then be making recommendations to itself.

He also felt that the second operative paragraph of the Costa Rican draft resolution (E/CN.4/L.717/Rev.1) should be drafted in more general terms. The word "holding" in the second line could perhaps be replaced by "possibility of holding". It was doubtful, moreover, that an international conference would be able to evaluate the effectiveness of the methods and techniques used by the United Nations in the field of human rights.

Lastly, the word "convenience" in the same paragraph might appropriately be replaced by "desirability".

Mr. REDONDO (Costa Rica) said that the proposed committee might be regarded as a group having a very general mandate to consider the preparations that would have to be made for a conference of the kind already suggested in the Third Committee. He, too, doubted that the conference would be able to evaluate the effectiveness of the methods used by the Organization. His delegation had merely wished to indicate that it was in favour of such a conference and to suggest a tentative programme for it.

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Mr. MOROZOV (Union of Soviet Socialist Republics) said that he could not support a proposal to convene an international conference in 1968. That was a major decision whose financial implications would be considerable. The funds required for such an undertaking could be better used for more practical activities aimed at ensuring the enjoyment of fundamental freedoms.

With regard to the objections stated by the United Kingdom delegation, he was quite prepared to acknowledge that the list of conventions proposed by the Ukrainian representative was not exhaustive; it did, however, include the most important instruments drafted since the war in the field of human rights. The conventions given in the list represented an important contribution to international co-operation and the implementation of the principles of the Charter. The replacement of the words "in particular" by "inter alia" should meet the United Kingdom representative's objection.

Furthermore, if the General Assembly addressed an appeal in 1964 to those countries which had not yet acceded to the conventions listed in operative paragraphs 1 and 2 of the Ukrainian draft resolution (E/CN.4/L.721), they would have four years in which to do so. If, however, a committee met in 1965 to draw up a list that was not to be considered by the General Assembly until 1966, the States concerned would have only two years in which to accede - a period of time which, in view of the complexity of the procedure involved, would be insufficient.

The Ukrainian delegation was quite right in trying to ensure that the draft Covenants, which had been under study for fifteen years, became international agreements before the celebration of the twentieth anniversary of the Universal Declaration of Human Rights.

The draft resolutions of Costa Rica (E/CN.4/L.717/Rev.1) and the Ukrainian SSR (E/CN.4/L.721) were not incompatible, since the provisions of the Ukrainian proposal had appeared in the original Costa Rican draft, which unfortunately had been revised. It might be possible to combine the two drafts in a single text consisting of two parts; part A would embody the Costa Rican draft, and part B would set forth the recommendations of the Ukrainian resolution on accession to international agreements.

With regard to the question of an international conference, it might be stated more clearly that what was being suggested was a very preliminary consideration of the possibility of holding an international conference in 1968. The tone of the
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(Mr. Morozov, USSR)

Costa Rican draft resolution was too definite in that respect, for it gave the impression that all members of the Commission agreed on the matter and that only the practical details remained to be worked out.

Mr. ALQUIVAR (Ecuador) said that he, too, felt that the two draft resolutions could be brought into line and combined. He agreed with the United Kingdom representative that the General Assembly could not address recommendations to itself, and he suggested replacing the word "Recommends" by "Decides" in operative paragraphs 1 and 2 of the Ukrainian draft resolution (E/CN.4/L.721).

Mr. REDONDO (Costa Rica) agreed to replace the words "the holding of", in the second operative paragraph of his draft (E/CN.4/L.717/Rev.1), by "the possibility of holding" so as to take account of the reservations expressed concerning the competence of the proposed committee.

He would prefer that the Commission should decide first on the Ukrainian representative's proposal that the draft resolutions of Costa Rica (E/CN.4/L.717/Rev.1) and the Ukraine (E/CN.4/L.721) should, if adopted, be combined. His delegation had revised its draft in the hope that at least its essential idea would be retained.

Mr. NEDBAILO (Ukrainian Soviet Socialist Republic) said that his proposal was based on operative paragraph 4 of General Assembly resolution 1961 (XVIII). It was not sufficient to proclaim an international year for human rights; it was essential to make certain that the undertaking produced concrete results. All Member States should therefore be invited to ratify before 1968 the principal conventions concluded in the field of human rights. The list of conventions proposed by his delegation was not exhaustive and could, if necessary, be supplemented. It was also important to speed up the conclusion of certain conventions, including the draft International Covenants on Human Rights, which had been under consideration for too long.

He agreed to the Ecuadorian representative's suggestion to replace "Recommends" by "Decides" in operative paragraphs 1 and 2 and to any minor drafting changes which that entailed. He was most anxious to see the two draft resolutions combined with the agreement of the Costa Rican delegation.

Mr. S.K. SINGH (India) said that the draft resolutions of Costa Rica (E/CN.4/L.717/Rev.1) and the Ukrainian SSR (E/CN.4/L.721) were in fact complementary. He was grateful to the Jamaican delegation, the originator of the proposal which

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(Mr. S.K. Singh, India)

upon adoption by the General Assembly had become resolution 1961 (XVIII), for the efforts it had made as an observer to ensure that the matter received due attention from the Commission. He agreed with the Soviet representative in regard to the financing of the international conference proposed for 1968. The conference obviously could not take place without the agreement of the members of the Commission and of those States which assumed the bulk of the Organization's expenses. His delegation, for its part, would vote for any proposal giving effect to General Assembly resolution 1961 (XVIII).

The CHAIRMAN suggested that the meeting should be suspended in order to give the Costa Rican and Ukrainian representatives an opportunity to align their proposals.

The meeting was suspended at 7.30 p.m. and resumed at 7.55 p.m.

Mr. FARMAN-FARMAIAN (International Labour Organisation), observing that the ILO attached great importance to being associated with the International Year for Human Rights, drew the Commission's attention to four ILO conventions: the Convention concerning forced or compulsory labour, the Convention concerning the rights of association and combination of agricultural workers, the Convention concerning freedom of association and protection of the right to organize, and the Convention concerning the application of the principles of the right to organize and to bargain collectively. Of course, many other conventions adopted within the framework of the ILO's activities deserved to be enumerated, but by confining itself to the ones he had mentioned the Commission would contribute usefully to the achievement of its objective. Those instruments came under both article 23, paragraph 4, of the Universal Declaration of Human Rights and article V (e) of the draft convention on racial discrimination which the Commission had recently adopted.

Mr. NEDBAILLO (Ukrainian Soviet Socialist Republic) said that as a result of his consultations with the Costa Rican representative during the recess, only the Costa Rican draft resolution (E/CN.4/L.717/Rev.1) remained. The Ukrainian draft resolution (E/CN.4/L.721) became an amendment which, if adopted, would constitute the second part of the Costa Rican draft resolution. The amendment began with the last preambular paragraph of document E/CN.4/L.721 ("Requests the Economic and Social Council ..."), the subsequent portion remaining unchanged except

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(Mr. Nedbailo, Ukrainian SSR)

for the replacement of the word "Recommends" at the beginning of operative paragraph 2 by the words "Decides to accelerate" and for the corrections he had already mentioned. Moreover, the two delegations had agreed that Costa Rica would delete the final portion of the second operative paragraph of its draft resolution, beginning with the words "and should further consider ...", if the Ukrainian amendment was adopted.

Mr. MEANS (United States of America) proposed that the committee should consist of twenty-three members, namely, the twenty-one States members of the Commission and also Jamaica and Trinidad and Tobago, which had expressed a special interest in the matter.

Mr. S.K. SINGH (India) urged the Commission to accept the compromise solution arrived at by the Costa Rican and Ukrainian delegations. In view of the interest of Jamaica and Trinidad and Tobago in the problem, he supported the United States representative's proposal that those two countries should be members of the committee.

Mr. REDONDO (Costa Rica) asked the Ukrainian representative to take account in his amendment of the conventions cited by the representative of the International Labour Organisation.

Mr. MOROZOV (Union of Soviet Socialist Republics) said that the representative of the ILO had every right to watch over the interests of his organization. However, his statement should not hinder the Commission's debates. The inclusion of the three most important ILO conventions in the Ukrainian amendment did not mean that the others were excluded, but the USSR delegation was not prepared to support proposals which it had had no opportunity to examine or discuss. If the Ukrainian amendment was rejected, he would abstain from voting on the draft resolution as a whole, since it would then be inadequate.

He asked that the question of the membership of the committee should be submitted to the General Assembly at its nineteenth session, for the proposal might be of interest to delegations other than the one with which the idea had originated. In that case the membership of the committee should not be arbitrarily restricted to the number specified by the United States delegation. He therefore suggested that the question should be taken up again in the General Assembly when it examined the report of the Economic and Social Council.

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Mr. MEANS (United States of America) proposed that the draft declarations on the right of asylum and on freedom of information should be added to the list of instruments the drafting of which was to be concluded before 1968.

Mr. NEDBALLO (Ukrainian Soviet Socialist Republic) accepted the proposal.

The CHAIRMAN put to the vote the Ukrainian amendment, as revised in accordance with the oral amendment of the United States delegation.

At the request of the USSR representative, a vote was taken by roll-call. Chile, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Chile, Costa Rica, Dahomey, Ecuador, El Salvador, India, Lebanon, Liberia, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Austria.

Against: Canada, Denmark, France, Italy, Netherlands, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

The Ukrainian amendment was adopted by 13 votes to 8.

The CHAIRMAN put to the vote the Costa Rican draft resolution (E/CN.4/L.717/Rev.1), with the oral revisions accepted by Costa Rica and with the Ukrainian amendment.

At the request of the USSR representative, a vote was taken by roll-call. Costa Rica, having been drawn by lot by the Chairman, was called upon to vote first.

The Costa Rican draft resolution, as amended, was adopted unanimously.

Miss AITKEN (Canada) said, in explanation of her vote, that her delegation favoured the Costa Rican draft but had some reservations as regards the convening of an international conference in 1968. Her Government had not had time to examine the problem, which had major financial implications, since, according to the first estimates of the Secretariat, such a meeting would cost \$400,000.

Mr. MOROZOV (Union of Soviet Socialist Republics) stated that the Commission had taken no decision on the membership of the committee and that it had only a formal proposal by the United States before it on the subject.

The CHAIRMAN felt that the question could be settled when the Commission met to examine its report; that would give delegations time to consult.

FREEDOM OF INFORMATION (E/3443 and Add.1 and 2; E/CN.4/822 and Add.1-3, 838 and Add.1-3, 862 and Add.1)

CAPITAL PUNISHMENT (E/CN.4/864; Sales No. 62.IV.2; E/3724)

THE QUESTION OF AN INTERNATIONAL CODE OF POLICE ETHICS (E/CN.4/859; ST/TAO/HR/16)

FURTHER PROMOTION AND ENCOURAGEMENT OF RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (E/CN.4/870; E/3743)

REVIEW OF THE HUMAN RIGHTS PROGRAMME: CONTROL AND LIMITATION OF DOCUMENTATION (E/CN.4/868 and Add.1)

Mr. QUIAMBAO (Philippines) proposed that, owing to lack of time, the Commission on Human Rights should postpone consideration of agenda items 9 (a), 10, 11, 13, 14 and 16 until its next session, and that the Secretariat should prepare an appropriate resolution.

The proposal was adopted unanimously.

PLACE OF MEETING OF THE COMMISSION'S TWENTY-FIRST SESSION

Mr. SPERDUTI (Italy) proposed that the Economic and Social Council should be asked to allow the next session of the Commission on Human Rights to be held at Geneva.

Mr. BOUQUIN (France) supported the proposal. In accordance with the principle of alternation, the Commission on Human Rights traditionally followed a session at New York by a session at Geneva whenever possible, with due regard to the fact that only two functional commissions could meet at Geneva in one year.

The Italian proposal was adopted unanimously.

COMMUNICATIONS CONCERNING HUMAN RIGHTS (E/3743; E/CN.4/819; E/CN.4/CR.33)

The CHAIRMAN recalled that at its eighteenth session the Commission had had before it a note from the Secretary-General (E/CN.4/819) proposing a change in the procedure for dealing with communications on human rights.

Mr. MEANS (United States of America) said that he supported the procedure proposed by the Secretary-General in note E/CN.4/819.

Mr. QUIAMBAO (Philippines) pointed out that at the Commission's nineteenth session the Lebanese and Philippine delegations had submitted a draft resolution on the question of communications concerning human rights (E/CN.4/L.673). For lack of time, the Commission had postponed consideration of the draft until its twentieth session, and it would apparently have to defer consideration of the matter once again.

Sir Samuel HOARE (United Kingdom) deplored the fact that since 1961 the consideration of that procedural question had been postponed from year to year. The Secretary-General's proposals entailed only a slight technical change and would not occupy the attention of the Commission for long. He recommended that at the Commission's twenty-first session the question should receive somewhat higher priority than it had at the present session.

Mr. MEANS (United States of America) suggested that the question of the procedure for dealing with communications on human rights should be studied at the beginning of the meeting which was to be devoted to consideration of the report.

Mr. VEGA-GOMEZ (El Salvador) said that, in order not to interfere with the consideration of the report, it would be preferable for the Commission to meet on the morning of Tuesday, 17 March, for the specific purpose of considering the matter.

Mr. MEANS (United States of America) said that he was in favour of deferring consideration of the matter until after the report was taken up.

Mr. QUIAMBAO (Philippines) said that his only objection to considering the question after the adoption of the report was that the Commission's debate on it would have to be the subject of another report.

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The CHAIRMAN proposed that the members of the Commission should hold consultations concerning the possibility of taking up the procedural question raised by the Secretary-General in his note (E/CN.4/819).

It was so decided.

The meeting rose at 9.25 p.m.