

ECONOMIC  
AND  
SOCIAL COUNCILCONSEIL  
ECONOMIQUE  
ET SOCIALE/CN.4/64  
14 December 1947  
ENGLISH  
ORIGINAL: FRENCHCOMMISSION ON HUMAN RIGHTSSECOND SESSIONREPORT OF THE AD HOC COMMITTEE ON COMMUNICATIONS

1. The ad hoc Committee on Communications, appointed on 3 December 1947 by the United Nations Commission on Human Rights, in conformity with the suggestions of the Economic and Social Council, met on Friday, 12 December 1947, in Geneva, at the invitation of Mrs. E. ROOSEVELT, Chairman of the Commission.

The following were present at the meeting :

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| (United States of America) | Mrs. ROOSEVELT, Chairman.   |
| (France)                   | Prof. CASSIN, Rapporteur.   |
| (Chile)                    | Senator CRUZ COKE   |
| (Lebanon)                  | Mr. MALIK   |
| (U.S.S.R.)                 | Mr. BOGOMOLOV, assisted by<br>Professor KORETZKY who deputised<br>for him during the last part<br>of the meeting. |

Professor HUMPHREY, Director of the Human Rights Division, was in charge of the Secretariat.

TERMS OF REFERENCE

2. The Terms of Reference given by the Commission to the ad hoc Committee, at its twenty-sixth meeting (secret) comprised (cf. Document E/CN.4/AC-5/1) :

(i) Functions proposed by the Economic and Social Council in its resolution No. 75(v) of 5 August 1947 (Document E/CN.4/27), namely :

reviewing the confidential list of communications concerning human rights prepared by the Secretary-General (Document E/CN.4.R.I.) and communicated by him to the Commission in private meeting;

and selecting from that list the communications dealing with the principles involved in the promotion of universal respect for and observance of human rights, of which the originals

should, in accordance with paragraph (c) of the said resolution, be made available to members of the Commission;

(ii) in addition to the above functions, that of submitting a report on the list of communications, together with any recommendations which it considers appropriate.

#### DECISION

3. The ad hoc Committee, having noted that, in the confidential list of communications transmitted by the Secretary-General, there were a considerable number dealing with the principles involved in the promotion of universal respect for and observance of human rights, decided:

(a) to transmit immediately to the members of the Commission an analysis of those communications prepared by the Secretariat (Document E/CN.4/AC.5/2);

(b) to request the members of the Commission to send their observations and suggestions based on that analysis to the ad hoc Committee which will meet, at the same time as the Drafting Committee, before the Third Session of the Human Rights Commission.

#### RECOMMENDATIONS

4. The ad hoc Committee, having taken note of the passage in the report submitted by the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities to the Commission on Human Rights (Document E/CN.4/52) dealing with communications on the subject, proposes that the Commission give effect thereto by a resolution in the following terms for submission to the Economic and Social Council:

"The Commission on Human Rights considers that the task of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities would be facilitated if the Economic and Social Council agreed to modify and extend its resolution of August 5th, 1947, so as to give the members of the Sub-Commission, with respect to communications dealing with discrimination and minorities and at the request of the Human Rights Commission in each case, the same facilities as are enjoyed by members of the Commission."

5. The ad hoc Committee found that the present system of transmitting communications and petitions was by no means satisfactory for the members of the Commission themselves, in view of the fact that the Commission in corpore has no powers to take any action in regard to complaints relating to human rights.

The Committee assumes that as the Commission's work will soon have reached a more advanced stage, the Economic and Social Council will take a decision on the recommendations which it asked the Commission to make to it, regarding "the ways and means for the effective implementation of human rights and fundamental freedoms". When that has been done, a basis will have been provided for settling the method of communicating and examining petitions, without there being too great an inequality between those concerning trust territories and all the others.

Even at the present stage, however, the ad hoc Committee, in the light of past experience, would suggest that the Commission adopt the following resolution with regard to certain urgent matters :

"The Commission on Human Rights requests the Economic and Social Council to reconsider the procedure for communications relating to human rights laid down in its resolution of August 5th, 1947, in particular as regards points (a) and (b). It suggests that the Secretary-General be requested :

(a) before each session of the Commission to compile two lists of communications received concerning human rights with a brief summary of the substance of each :

(1) a non-confidential list of communications in which the authors state that they have already divulged or intend to divulge their names, or that they have no objection to their names being divulged;

(2) a confidential list which will be furnished to the Commission, in private meeting, without divulging the identity of the authors of the communications.