

**ECONOMIC
AND
SOCIAL COUNCIL**

**CONSEIL
ECONOMIQUE
ET SOCIAL**

UNRESTRICTED

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28 January 1947
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COMMISSION ON HUMAN RIGHTS

SUMMARY RECORD OF THE THIRD MEETING

Held at Lake Success, New York, 28 January 1947 at 11:00 a.m.

Present:

Chairman:	Mrs. Roosevelt	(United States of America)
Vice Chairman:	Dr. P.C. Chang	(China)
Rapporteur:	Dr. Charles Malik	(Lebanon)
Members:	Col. J.G. Hodgson	(Australia)
	Mr. Roland Lebeau	(Belgium)
	Mr. T. Kaminsky	(Byelorussian Soviet Socialist Republic)
	Mr. Osman Ebeid	(Egypt)
	Mrs. Hansa Mehta	(India)
	Dr. Ghassano Chani	(Iran)
	Gen. Carlos P. Romulo	(Philippine Republic)
	Mr. Charles Dukes	(United Kingdom)
	Mr. V.F. Teplakov	(Union of Soviet Socialist Republics)
	Mr. José A. Mora	(Uruguay)

Representatives of Specialized Agencies.

Mr. Eric W. Hutchison	(International Labour Organization)
Dr. McLeish	(UNESCO)

Representatives of Non-Governmental Organizations

Miss L. Spiegel	(W.F.T.U.)
Miss Toni Sender	(A.F. of L.)

Secretariat: Mr. Jan Stanczyk
Dr. Humphrey

1. Adoption of the Rules of Procedure

Before proceeding with the agenda, the CHAIRMAN stated that Dr. Archibald McLeish, United States representative on UNESCO, would attend the present meeting as representative of that Organization.

Mr. ~~Salim~~ ~~Wuxia~~ Director-General of UNESCO, would deliver an address

/to the Commission

to the Commission on Human Rights about 5 February. Lastly, Mr. Kaminsky was attending on behalf of the Byelorussian Soviet Socialist Republic in the capacity of observer with the right to participate in the discussions but without the right to vote.

There were three possible solutions with regard to the first item on the agenda, the adoption of the Rules of Procedure: either the Commission might adopt the Economic and Social Council's Rules of Procedure, or it might provisionally and for the first session only adopt the Rules of Procedure proposed by the Secretariat, or lastly, it might adopt the Rules of Procedure suggested by the Secretariat without going into its details, but reserving the right to make such amendments thereto at a later time, under Rule 63 thereof, as might appear necessary.

Mr. TEPLIAKOV (UNION OF SOVIET SOCIALIST REPUBLICS) recalled that he had proposed that they should adopt the Economic and Social Council's Rules of Procedure. If, however, the Commission wished to have its own Rules of Procedure, he would first like to offer a few remarks on the Secretariat's suggestions.

Mr. MALIK (LEBANON), Rapporteur, suggested that they should adopt the Rules of Procedure proposed by the Secretariat. There was only a slight difference between them and the Economic and Social Council's Rules, and he therefore proposed their adoption, after hearing any observations and comments which members of the Commission might wish to make.

Mr. TEPLIAKOV (UNION OF SOVIET SOCIALIST REPUBLICS) as an amendment to this proposal, suggested the adoption of the Economic and Social Council's Rules of Procedure for the duration of the present session.

/Mr. HUMPHREY

Mr. HUMPHREY (SECRETARY OF THE COMMISSION), replying to a question by Mr. LEBEAU (BELGIUM), said that none of the other Commissions of the Economic and Social Council at present in session had adopted the Council's Rules of Procedure; two of them had provisionally adopted the rules proposed by the Secretariat, whilst the third had made only changes of detail.

Gen. ROMULO (PHILIPPINE REPUBLIC), said that as the Commission on Human Rights was invested with very special functions, he wished to know in what way the draft submitted by the Secretariat differed from the Economic and Social Council's Rules of Procedure.

Mr. HUMPHREY (SECRETARY OF THE COMMISSION), without going into details, emphasized that such changes as had been made in the Economic and Social Council's Rules were calculated to adapt those rules to the special functions of the Commission on Human Rights. The Rules of Procedure proposed by the Secretariat were much simpler than those of the Economic and Social Council. Generally speaking the principal changes proposed were due to administrative and budgetary reasons. In the Secretariat's opinion, the most important thing was that the Rules of Procedure of the various commissions should be as uniform as possible.

Dr. CHANG (CHINA) felt that of the three solutions suggested in paragraph 4 of the document submitted by the Secretariat, (E/CN.4/W.7), the second, namely to adopt the proposed Rules of Procedure for the first session only and to postpone examination and amendment to the second session, was certainly the most reasonable.

Colonel HODGSON (AUSTRALIA) supported the suggestion of the representative of China. Certain difficulties might be avoided if the representative of Lebanon were prepared to agree to the

/addition

addition of the word "provisionally" to his proposal. As regards the uniformity of the Rules of Procedure of the various commissions, he suggested setting up a small sub-committee of the Commission on Human Rights with instructions to get in touch with the other commissions and to study the changes they had made in their Rules of Procedure.

Mrs. METHA (INDIA) supported the proposal of the representative of China, for she did not think it necessary to adopt final Rules of Procedure immediately.

Mr. MALIK (LEBANON) Rapporteur, thought that there was very little difference between the second and third solutions. The Commission might adopt the proposed Rules of Procedure and prepare amendments for the second session.

Mr. TEPLIAKOV (UNION OF SOVIET SOCIALIST REPUBLICS) thereupon withdrew his amendment on the understanding that the adoption of the proposed Rules of Procedure was only provisional and that the Commission would be able to discuss them before adoption.

At the invitation of the CHAIRMAN, Mr. Tepliakov then stated the observations he wished to offer on the draft Rules of Procedure:

In Rule 2 - the words "by the Chairman, with the concurrence of the Secretary-General" should be replaced by the words "by the Commission itself".

In Rule 13 - After the words "may be accompanied by" there should be added the words "such alternate delegates and advisers".

Lastly, in Rules 58 and 59 the following passages should be deleted: "and adopt its own Rules of Procedure" and "until they adopt their own Rules of Procedure". There would also seem to be duplication in Rules 50 and 52, one of which should be eliminated; he personally would suggest omitting Rule 52.

After Mr. MALIK (LEBANON) and General ROMULO (PHILIPPINE REPUBLIC)

/had offered

had offered some observations, the CHAIRMAN said that the remarks of the representative of the Union of Soviet Socialist Republics were not amendments on which the Commission was called upon to vote. The Commission had merely desired to hear the remarks which Mr. Tepliakov wished to make before the adoption of the Rules of Procedure. They now had a proposal by the representative of Lebanon which had been amended by the representative of China. The representative of Lebanon had accepted the Chinese amendment. The proposal was that the Rules of Procedure submitted by the Secretariat should be adopted provisionally.

Mr. TEPLIAKOV (UNION OF SOVIET SOCIALIST REPUBLICS) and Dr. CHANG (CHINA) having urged the addition of the words "for the first session" to the text of the proposal, and this amendment having been agreed to by the representative of Lebanon, the motion was put to the vote and adopted without opposition.

DECISION: The Rules of Procedure proposed by the Secretariat were adopted provisionally and for the first session only.

Dr. CHANG (CHINA), seconded by General ROMULO (PHILIPPINE REPUBLIC), proposed setting up a committee of three persons to study such amendments as might be made to the rules of procedure.

DECISION: This proposal was adopted. The CHAIRMAN appointed the representatives of Australia, China and the Union of Soviet Socialist Republics to serve on this committee.

2. Consideration of Communications Received.

The CHAIRMAN pointed out that this question implied two duties:

- (1) towards the authors of the communications;
- (2) towards the Commission which had to decide the best possible way of using the communications received.

She therefore proposed setting up a sub-committee to consider the documents and reports to the Commission with suggestion on the subject.

/Mrs. Eansa METHA (INDIA)

Mrs. Hansa MEHTA (INDIA) submitted the following formal proposal:

"While the communications of organizations having consultative status should be discussed, the others as listed by the Secretariat may be made available to members of the Commission upon their request."

Mr. HUMPHREY (SECRETARIAT) pointed out that certain communications had been made to the Secretary-General of the United Nations and not to the members of the Commission; he therefore felt that the proposal of the representative of India went beyond the Commission's competence.

Mr. LEBEAU (BELGIUM) thought that a distinction should be made between communications received from organizations having consultative status and those received from other organizations. The former might be studied freely, whilst the latter could not be studied without a formal decision of the Commission.

He himself thought that the Commission should not be subject to the pressure of public opinion as reflected in such communications, and was disinclined to agree to the setting up of a sub-committee to study them.

As to communications not directly addressed to members of the Commission he thought that it was for the addressees to decide either to keep them or to transmit them to the Commission.

Gen. ROMULO (PHILIPPINE REPUBLIC) was in favour of setting up a sub-committee to study the question. Communications received were the only link between the Commission and the public, and he asked the representative of India to withdraw her motion so that he might propose another one.

Mrs. Hansa MEHTA (INDIA) maintained her motion.

In reply to a question from the representative of the Union of Soviet Socialist Republics, Mr. HUMPHREY (SECRETARIAT) said that the

/International

International Labour Organization and UNESCO were specialized agencies, whilst the WFTU, the American Federation of Labor and the International Co-operative Alliance were non-governmental organizations having consultative status.

The CHAIRMAN put the motion of the representative of India to the vote.

Decision: This motion was adopted without opposition.

The CHAIRMAN said that communications received would be brought to the knowledge of members of the Commission but they could not give them to the press.

Gen. ROMULO (PHILIPPINE REPUBLIC) pointed out that, in certain cases, the authors of communications might run the risk of reprisals if their names were revealed and he therefore wished to draw the Commission's attention to the dangerous nature of the vote it had just taken. Hence, he pressed once more for the creation of a sub-committee to consider the question.

The CHAIRMAN said that the question remained in suspense.

The meeting rose at 1:15 p.m.
