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SOCIAL COUNCILCONSEIL  
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ET SOCIALUNRESTRICTED 13  
E/CN.4/Sub/2.SR/225 November 1947  
ORIGINAL: ENGLISHCOMMISSION ON HUMAN RIGHTS  
SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION  
AND THE PROTECTION OF MINORITIES  
FIRST SESSION

Summary Record of the Second Meeting

Held at Palais des Nations, Geneva

on Tuesday, 25 November, at 10 a.m.

## Present:

Chairman: Mr. E. E. EKSTRAND (Sweden)

Vice Chairman: Mr. Herard ROY (Haiti)

Rapporteur: Mr. Joseph NISOT (Belgium)

Members: Mr. W.M.J. McNAMARA (Australia)  
Dr. C. H. WU (China)  
Mr. J. DANIELS (United States of America)  
Mr. Samuel SPANIEN (France)  
Mr. M. R. MASANI (India)  
Mr. Rezazada SHAFAG (Iran)  
Miss Elisabeth MONROE (United Kingdom)  
Mr. A. P. BORISOV (U.S.S.R.)

Specialised agencies: Mr. Rodolphe LOPES (I.L.O.)

International non-governmental organisations:

Mr. F.R. BIENENFELD (Jewish World Congress)

Rabbi Dr. M.L. MUNK, (Agudath Israel  
World Organization.)

Secretariat: Prof. J.P. HUMPHREY

Mr. Edward LAWSON

Mr. Emile GIRAUD

Mr. A.M. HEKIMI

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ECONOMIC AND SOCIAL COUNCIL

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THE CHAIRMAN requested members to draw up a time-table for future meetings. The Secretariat had suggested two meetings a day, from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m.

Mr. BORISOV (Union of Soviet Socialist Republics) felt that if the Sub-Commission was to accomplish fruitful work it should hold once-daily and twice-daily meetings on alternate days. This would enable delegations to prepare their work. Depending on circumstances and the progress of work, it might be possible later to increase the number of meetings.

Mr. SHAFaq (Iran) supported this proposal which would not entail any loss of time, since it would enable members to study the voluminous documentation before them.

Mr. DANIELS (United States) felt that if the Sub-Commission were to complete its work before the Commission on Human Rights began its meetings, it should sit twice daily, at any rate, for the first few days.

Mr. NISOT (Belgium) pointed out that it was a tradition of the United Nations to hold two meetings daily. Since time was short he supported the proposal made by Mr. Daniels.

Mr. McNAMARA (Australia) drew attention to the fact that some members had only just received the documentation prepared by the Secretariat and had not had sufficient time to study it. He proposed that the Sub-Commission should sit from 10 a.m. to 1 p.m. that morning, and that it should resume discussion of this point on the following day. He was personally in favour of the proposal made by Mr. Nisot that there should be two meetings daily, but he wished all members to have an opportunity to study the documents.

Dr WU (China) supported Mr. Daniels' proposal. He was agreeable to sitting from 10 a.m. till 1 p.m. in the morning and again in the afternoon. However, he proposed that the afternoon meetings should be held between 4 p.m. and 7 p.m. to allow members time to study the documents between the two meetings.

Mr. DANIELS (United States), in deference to the views of Mr. McNamara and Mr. Shafaq suggested that the Sub-Commission should hold only one meeting that day, but that there should be two meetings on following days.

Mr. BORISOV (Union of Soviet Socialist Republics) explained that his proposal rested on the fact that the Sub-Commission was not called upon to complete its work until 5 December. He could not entertain Mr. Daniels' proposal, since members who had undertaken long journeys to attend these meetings should not be compelled to finish their work within a few days. The importance of the deliberations outweighed their urgency.

Mr. MASANI (India) stressed the danger involved in hastening the work and supported the arguments advanced by Mr. Borisov.

Miss MONROE (United Kingdom) pointed out that the Commission on Human Rights was to assemble the following week and thought the Sub-Commission ought therefore to meet as often as possible. However, in deference to the views of certain members, she supported the proposal that there should be only one meeting that day.

Mr. DANIELS (United States) explained that he had no intention of provoking a debate. The Sub-Commission might subsequently find it convenient to make other arrangements, particularly as the Secretariat might sometimes find it difficult to prepare documents in time.

THE CHAIRMAN emphasised the fact that it was not possible to discuss documents unless all the members had had the opportunity of studying them. It would, moreover, be unfair to the Secretariat which had managed to prepare this excellent documentation for members. He proposed that there should be no meeting that afternoon and that the Sub-Commission should decide next day on the order of subsequent work.

The above proposal was adopted.

#### 6. Discussion of Terms of Reference

THE CHAIRMAN requested the Director of the Human Rights Division to read the terms of reference. He asked members kindly to adhere strictly to these terms of reference during the discussion.

Prof. J.P. HUMPHREY (Secretariat) said that the Secretariat had prepared document E/CN.4/Sub.2/2 and that a new document E/CN.4/Sub.2/15 had been distributed to members that morning. The latter document contained the terms of reference. He then read these out.

Mr. SHAFAQ (Iran) wished to make a general comment on the Sub-Commission's work as a whole. He had had the honour of representing his country at the various assemblies of the United Nations since San Francisco. He had noted that, since then, the documents, books and pamphlets published by the United Nations had become very numerous. The Sub-Commission would be wise not to linger too long over that general documentation; it should rather concentrate on means of concrete action. Only yesterday the Sub-Commission had discussed at length forms of discrimination, although that question had already been the subject of many long discussions in the Commission. He proposed that the Sub-Commission should devote

only two or three meetings to general discussion with the object of getting to know the views of the various members present. The general discussion could then be closed, and the Sub-Commission could go on to study practical conclusions.

THE CHAIRMAN replied that the general discussion was open, and recalled that Mr. Borisov had rightly stressed the advisability of a thorough examination of the points under discussion, both by preliminary study of the documents and by general debate. It was therefore not necessary to decide now how long the general discussion should last. The Sub-Commission could take a decision on that point in the light of subsequent proceedings.

Mr. ROY (Haiti) agreed with Mr. Shafaq's general comment, but wished to make one point clear. Members of the Sub-Commission were present as representatives of the international organization and not of their respective countries.

Mr. DANIELS (United States) shared the views of Mr. Shafaq. The Sub-Commission had to do practical work.

The United States were taking active steps in connexion with the problem of human rights, and the Civic Rights Commission had just made its report to President Truman. He emphasised the despondency prevailing throughout the world with regard to the great problems of the times. Those problems could not be solved by long general discussions, but solely by means of practical decisions. In this spirit he had prepared solutions which he would have the honour of submitting to the Sub-Commission, and which would, he hoped, help to remove all obstacles to the dignity and freedom of men in every part of the world.

Mr. McNAMARA (Australia) proposed, in order to save time, that a Committee of six members be constituted to study generally

the two definitions asked for by the Commission. Two Sub-Committees, each composed of three members, might study each problem individually. The Committee and its Sub-Committees could meet that very afternoon. In that way, the Sub-Commission would be in possession of complete definitions the next day.

Mr. NISOT (Belgium), on a point of order, recalled that the Sub-Commission had decided on the previous day to proceed with a study of the matters dealt with in its terms of reference, within the framework of the corresponding articles of the draft Declaration drawn up by the Drafting Committee.

THE CHAIRMAN, in reply to Mr. McNamara, said it was possible that the Sub-Commission might subsequently have to decide to set up a Committee, and perhaps even Sub-Committees, but a decision on that point could not be taken until after the general discussion. It would not be practical to adopt another procedure before the end of the general discussion.

Mr. McNAMARA (Australia) said he would bow to the majority decision, but, as the Sub-Commission would not meet that afternoon, it would be advisable for the work to be prepared by a Committee.

Miss MONROE (United Kingdom) supported the views expressed by the Chairman, and pointed out that the afternoon would be taken up with studying the documents.

Mr. ROY (Haiti) shared the views of Miss MONROE. He pointed out that the Sub-Commission consisted of 12 members only and that they should therefore think twice before entrusting the examination of certain problems to a Committee of 6 members, as, in any case, the Sub-Commission would have to resume discussion of these problems later.

Mr. BORISOV (Union of Soviet Socialist Republics) thought it was premature to consider the setting up of Committees or Sub-Committees before discussion of Item 6 of the Agenda had been completed. When the work was more advanced, the adoption of this procedure might be contemplated. For these reasons, he supported the views expressed by Miss MONROE and Mr. ROY.

THE CHAIRMAN pointed out that the views of the majority of members had been clearly stated and, recalling that Mr. McNamara had stated that he would bow to a majority decision, he considered Mr. McNamara's proposal withdrawn.

Mr. SHAFAG (Iran) recalled that the Charter of the United Nations, signed and ratified on 26 June 1945 by 50 nations, made provision for security, justice, well-being and human rights. This International Convention might well be called the Magna Carta of international security. The Charter was the document of world peace and prosperity and expressed the collective desire of the nations to found a new world organization to promote cultural co-operation between them, bring about fraternity among men and put an end to all forms of aggression. The Sub-Commission had met that day to examine the problem of Human Rights and to reaffirm faith in fundamental human rights and in the dignity and worth of the human person. The nations should create political and social conditions which would help to encourage respect for human rights without distinction as to race, sex, language or religion.

It was time to change the narrow limits of traditional or historic groups, and for this reason the nations of the whole world should direct their attention to a common solution of the problem of human values. The history of Iran showed that it was a country which could pride itself on a sound culture. The sense of justice, the idea of tolerance and the universal conception of human worth had already existed in Ancient Persia. There were numerous proofs of this in philosophic literature. He pointed out that there were no minority problems in Iran. Moreover, the largest of the three existing minorities, Armenian, Jewish and Assyrian, which might be called religious minorities, consisted of less than 100,000 persons. With the exception of a few short periods in the wake of world wars, Iran had lived in peace for centuries. In the field of education and in the political and social spheres the minorities enjoyed the same rights as Iranians. Nevertheless, Iran was preparing to take decisive action in the field of social reform. Her economic and social policy would be in conformity with the Charter of the United Nations. But the thousands of libraries, charters, books and codes existing in the civilised world were not sufficient to ensure mankind a decent life. It should not be forgotten that it was not laws that made men, but men that made laws. That was why, if a law or a charter were to be of real practical value, the principles it contained should first be written in the hearts of men. To this end, the nations should establish a system



international education based on tolerance, fraternity and the universality of human truth.

He proposed that a Committee consisting of world leaders in educational theory should be set up under the auspices of the United Nations. This Committee would be responsible for studying the basic principles of a democratic and universal education to be submitted subsequently to UNESCO for application.

He submitted to the Sub-Commission two suggestions which might be given immediate consideration:

1. That a plan should be worked out for acquiring exact information concerning the situation of minorities in the various countries;
2. That the necessary precautions should be taken to distinguish genuine and legitimate minorities from artificial minorities which might have been called into existence solely as instruments for specific political ambitions, within a country or outside it.

The CHAIRMAN thanked Mr. Shafaq for his interesting statement.

Mr. BORISOV (Union of Soviet Socialist Republics) emphasized the importance of the problem of preventing discrimination and obtaining equal rights for all peoples without distinction as to race, sex, language, or religion.

In this connection, he wished to communicate to the members of the Sub-Commission some information on certain aspects of the present position in the Soviet Union. One of the most remarkable advances achieved as the outcome of the October Revolution was the final settlement of the nationalities problem and the problem of collaboration between the various

peoples of the Soviet Union. The declaration signed by Lenin and Stalin on 2 November 1917 established for the Russian people the inalienable right to control their own destiny. This declaration was based on the principles of the equality and sovereignty of all peoples, their right of self-determination and their right to have an independent government, the abolition of all forms of discrimination and all privileges of a racial, religious or linguistic character and lastly the free development of the ethnic groups and national peoples throughout the territory of the Union.

In this connection, the Government of the USSR assured the peoples of the Union complete independence. It had put an end to the exploitation of one individual by another, and this had been a source of strength to the peoples of the Union of Soviet Socialist Republics.

The Constitution of the USSR was based on the principles contained in the declaration by Lenin and Stalin. The Constitution of the Russian Republic was taken as an example for the national constitutions. All these constitutions affirmed the liberation of the down-trodden, the end of their exploitation by individuals, the principle of fraternity and mutual aid, the equality of rights and an independent national life. In order to achieve equality and harmony between peoples of the most diverse nationalities and to promote their political maturity, great difficulties had to be overcome. It was for this reason that the Bolshevik party, after the Civil War, improved the economic conditions of the various peoples and developed their technical, industrial and agricultural equipment. New industries had to be created, the economic framework had to be enlarged and communications constructed throughout the length and breadth of the territory.

The abolition of economic inequalities was a decisive factor in the liquidation of the Tsarist agrarian regime.

The economic development which the Soviet Union had been undergoing for 30 years had gone hand in hand with development in the field of culture and education. From the first, the Bolshevik Party had realised the importance of raising the cultural level of the masses. Thus the number of pupils in primary and secondary schools, as well as in the higher schools, had increased in impressive proportions. The Soviet Government had carried out its cultural work through the development of literature, libraries, theatres, cinemas, academies and cultural centres. At present the USSR was in the vanguard of culture and world progress. In this connection, it should be noted that the raising of the cultural level had been achieved uniformly over the whole of the Union's territory, which proved that colonial peoples, whatever some might say about them, were capable of governing themselves.

The rights of the citizens of all the Republics were guaranteed by the Constitution. All citizens whatever their race, means, religion or sex were equal before the law, from the most humble man to the President of the Supreme Soviet Council.

Every citizen had the right to medical attention at Government expense; free education, from elementary to higher, was provided in the mother tongue. Every citizen had the right to work and to fair wages, according to his ability, throughout the whole area of the Union. That right was guaranteed by the Constitution and there could be no question therefore of unemployment.

The Constitution also guaranteed all citizens rest and leisure in the form of yearly holidays with pay, rest centres, clubs, sanatoria, etc. Social insurance covered old-age, sickness and accidents at work. It guaranteed free medical care and the benefit of spas and cures.

Women enjoyed complete equality with men both in the economic and social field, and in the fields of politics, culture and education.

At all elections the vote was universal, direct, general and by secret ballot. Every citizen from the age of eighteen upwards, whatever his race, nationality, sex, means, education, ancestry or past activities was an elector and eligible.

The magistrates of the Peoples' Courts were elected for three years on the same electoral system. The proceedings of the courts were conducted in the language of the Republic of the Union or in that of the autonomous Republic, but every citizen had the right to ask for an interpreter.

Mr. Borisov said he had wished to comment on these aspects of the USSR Constitution in order to show that it was possible to solve national problems by abolishing all discriminatory practices and by co-operation between peoples of the most diverse nationalities. Without that the Soviet Union would never have achieved the unity that was put to the test in the terrible years of the 1941-45 war. The unshakable friendship existing between all the peoples of the USSR had been the source of the resistance and heroism of the Soviet people. The strength of patriotism lay in combating national prejudices, in national development of the country, fraternity and the union of peoples.

Such was the position of the USSR regarding prevention of discrimination and protection of minorities.

Mr. McNAMARA (Australia), on a point of order, drew attention to the fact that Article 61 of the rules of procedure provided that "A rule of procedure may be temporarily suspended by the Commission", and he accordingly proposed that if members agreed - in order to save time - two translations of Mr. Borisov's statement should not be made. He suggested that the statement should be translated only into English.

Mr. ROY (Haiti) opposed this. Eleven of the twelve members of the Sub-Commission expressed themselves with equal facility in French or English. Only Mr. Borisov spoke in Russian. Out of courtesy to Mr. Borisov it was proper that his statement should be translated into French and English.

Mr. SHAFaq (Iran) and Mr. SPANIEN (France) shared this view.

Dr. WU (China) also supported the latter proposal, but hoped that the text of Mr. Shafaq's and Mr. Borisov's interesting statements would be circulated to members.

Mr. BORISOV (USSR) was of the opinion that the rules of procedure should be followed as regards the translation of Russian speeches into the two official languages.

Mr. NISOT (Belgium) supported Mr. Roy's proposal, and thought that the question whether the time allowed to each speaker was or was not to be limited ought to be settled some time.

Professor HUMPHREY (Secretariat) stated that reproduction of Mr. Shafaq's and Mr. Borisov's speeches in toto would add considerably to the Secretariat's work; in addition, expenses

had to be cut down, since the Secretariat's budget was very small. Moreover, minutes of the meetings would be circulated to members; he proposed that failing the Sub-Commission's formal decision to the contrary, the speeches in question should be summarised in the minutes.

Dr. WU (China) was very anxious to obtain the texts of these two important statements. He desired a distinction to be made between oral and written statements. While the former could be reproduced in summarised form he was of the opinion that the latter might be reproduced in extenso. This would by no means bankrupt the United Nations.

Professor HUMPHREY (Secretariat) remarked that criticisms had already been made concerning the length and cost of documents. The Secretariat would however bow to the decision of the majority of the members.

Miss MONROE (United Kingdom), on grounds of economy, supported Professor Humphrey. It was always possible for members to borrow the text of statements from the delegations concerned.

Mr. MASANI (India) thought that in view of the Sub-Commission's purpose no distinction should be made between oral and written statements.

Mr. NISOT (Belgium) supported the arguments advanced by the Secretariat, especially as the Press was present at the Sub-Commission's discussions and the publicity desired by some members would thereby be fully ensured.

Mr. BORISOV (USSR) was not convinced by Mr. Nisot's argument; it was doubtful whether a single paper would mention his statement.

Mr. ROY (Haiti) thought that the discussion was straying from the point, and proposed that the interpretation of Mr. Borisov's statement into French and English should be heard forthwith.

The Sub-Commission  
DECIDED

That there should be two interpretations.

The CHAIRMAN thanked Mr. Borisov for his interesting statement, and said that members would have liked it to be possible for Dr. Wu's proposal to be accepted. The Secretariat had drawn his attention to the rule of procedure which provided that minutes should be kept of the Sub-Commission's discussions. He did not wish any distinctions to be made in applying this rule. The statements would be reproduced in summarised form in the minutes.

The meeting rose at 1.30 p.m.